The background of the cover features a dark blue diagonal band across the middle. To the left of this band is a grey geometric pattern of overlapping cubes. To the right is a faded, high-angle photograph of a city skyline with several tall buildings.

Conservation Management Plan


Newcastle East End
Blocks 3 & 4

Newcomen, Hunter, Thorn, Laing and King Streets

Submitted to Newcastle City Council
On Behalf of Iris Capital

MARCH 2023

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Acknowledgement of Country

City Plan acknowledges the First Nations Peoples upon whose lands and waters we live and work, we respect their cultural heritage and continuing connection to Country and thank them for protecting the coastline and its ecosystems through time. We acknowledge that sovereignty over these lands and waters has never been ceded and extend our respect to Elders past, present and emerging.

We proudly operate from the lands of the Gadigal, Darkinyung, Danggan Balun and Turrbal Peoples.

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1. EXECUTIVE SUMMARY

1.1. Introduction

City Plan Heritage (CPH) has been engaged by Iris Capital to prepare a Conservation Management Plan (CMP) for each of the four blocks comprising the Newcastle East End precinct (NEE precinct), to fulfil Condition 14 of the consent for Staged DA2017/00701. The precinct, which encompasses various buildings situated across four city blocks bounded by Newcomen, Hunter, Perkins and King Streets, is evidence of the late 19th and early 20th century development of Newcastle in response to the growing importance of the town as a main coal port and Hunter Street's importance as the main retail and commercial centre.

Located within the NEE precinct is a number of heritage items listed under Schedule 5 of the Newcastle Local Environment Plan (LEP) 2012 including the following:

- Municipal Building, 121 Hunter Street, item no. I403 (Block 4);
- Former David Jones building, 169-185 Hunter Street, item no. I407 (Block 1);
- Former Lyrique Theatre, 98 King Street (Wolfe Street), item no. I423 (Block 2);
- Retaining wall and sandstone steps, Wolfe and King Street, item no. I477 (Blocks 1, 2, 3 & 4).

The NEE precinct is also located within the Newcastle City Centre Heritage Conservation Area (C4).

Throughout this report, the four city blocks will be referred to as the Newcastle East End precinct (NEE) while the various other built elements present will be individually acknowledged where required. In addition, when referring to the various blocks located within the Precinct, they will be labelled 1, 2, 3 and 4 as detailed in Section 3.

This CMP is concerned with Blocks 3 and 4 only and aims to create a plan to enhance the subject Blocks as a whole for future generations, inform potential development of Blocks 3 and 4, and provide guidance for ongoing operations and maintenance. In general, it will be used to manage the established and assessed heritage significance of Blocks 3 and 4, and inform future decisions on the site. Although this CMP focuses on providing management guidelines for Blocks 3 and 4, the physical and historical analysis and comparative analysis consider the entire NEE precinct. The significance assessment and the Statement of Significance is prepared for the whole precinct to better understand their relationship and common historical development. The CMPs for Blocks 1 and 2 have also included the common sections and only differ in the significance ranking and block specific policies. The CMPs have already been prepared for Blocks 1 and 2 in conjunction with the Stages 1 and 2 DAs for this block (DA2017/00700), which was issued consent on 4 January 2018.

1.2. Statement of Significance

The Newcastle East End Precinct is of local significance as an important site that is associated with the early development of the city of Newcastle and the subsequent subdivision and development that occurred in response to the changing needs of the town during the late 19th and early 20th centuries.

The buildings present within the study area reflect the changes that were required to the existing built fabric in light of flooding issues experienced and to accommodate the growing population and development of Newcastle as a main port during the 19th century. The Precinct is also evidence of Hunter Street developing as the main commercial centre and reflects the various commercial, community, business and religious interactions that have occurred in the area since the early 19th century.

Many of the buildings within the study area date from this key period of development and are considered of exceptional aesthetic significance for the contribution they make to the streetscape and area generally. There is a high concentration in the study area of building fabric dating from the late 19th and early 20th century development of the city of Newcastle. Of particular note are the various buildings that are representative of the Victorian and Federation Free Classical Styles, Inter-War Art Deco and

Functionalist styles including the former David Jones buildings, Masonic Hall/ Lyrique Theatre, and the former Municipal Building of which all three are already identified as heritage items with a number of contributory buildings scattered within the Precinct.

The Municipal Building contributes to the overall architectural character of the Hunter Street Mall as an interesting example of an Edwardian commercial building despite the alterations and additions made to its exterior and interiors.

In addition, the street pattern of the Newcastle East End Precinct is considered unique and reflects various significant stages in the planning and development of the study area, particularly the original establishment of the study area as the centre of town, with the Market Place at its centre. Collectively the buildings have a striking visual presence and positively contribute to the streetscape, particularly when viewed from within Hunter Street. Some areas have endured very little change and reflect subdivision patterns from the turn of the 20th century with surviving 1870s and 1880s infrastructure including sandstone walls and steps along Wolfe and King Streets.

Due to its size, the Newcastle East End Precinct is associated with numerous early land owners, prominent members of Newcastle society and local architects including Henry Dangar, William Scott, Harry "Henry" Charleston, Major Bolton, Mrs Ruby Blackall, Frederick B Menkens, FG Pepper, Jeater, Rodd, Bennet and Yeomans, Pitt and Merewether and Thomas W Silk, among many other individuals. It is also associated with locally established and larger Australian businesses including Scott's Ltd, Potter & Co, Mick Simmons, Charleston's Photographic Studio, Soul Pattinson and Fletcher Jones. Of particular note is the study area's association with leading retailers Scott's Ltd and David Jones, both of which occupied Block 1 for many decades.

The Newcastle East End Precinct has a strong connection to the residents of Newcastle, having served as the main commercial and retail centre for the city since the early 19th century. While the importance of the area as a retail centre has declined within recent years, Hunter Street is still considered the primary shopping street in Newcastle. The study area has also served as the centre for various community, religious and recreational functions associated with the Masonic Hall/ Lyrique Theatre, Blackall House and various other buildings as part of the Renew Newcastle project.

The Newcastle East End Precinct is indicative of the pattern of commercial growth that occurred in the city of Newcastle following the development of Dangar's plan in 1823. The study area is also indicative of the growing need for retail developments during the late 19th and early 20th century and the gradual development of Newcastle as one of the largest cities in NSW.

1.3. Conclusion

The conservation policies are intended to assist the owners, consent authorities and all stakeholders and occupants through the processes of conserving, repairing, maintaining and using the site. The conservation policies provide a set of guidelines to inform future decisions. Decisions about future work including repair, conservation, adaptation to various uses, maintenance works, or future additions and development should take into consideration the significance of the place as a whole, as well as of the affected separate parts and their interrelationship.

The conservation policies are not intended to prohibit change at the site. Use of the policies will ensure that future decisions are made on an informed basis enabling the significance of the place to be retained and enhanced. The policies target the issues that are relevant to the site but also are intended to be flexible in recognising the site and owners' / lessee's constraints and requirements.

The policies in this report commence with the general policies to provide guidance to deal with the key implications for retaining the significance of the site, including:

- Recognise and retain heritage values;
- Conserve the place as a whole;
- Recognise all periods of the building's history;
- Facilitate the adaptation of the site for appropriate uses;

- Conserve and maintain significant building features and their functional and spatial relationships; and
- Conserve in accordance with significance.

Policies are then provided to address physical conservation issues such as identifying, managing and undertaking conservation and maintenance works as well as employing consultants and contractors with appropriate expertise, including:

- Adopt best-practice guidelines and procedures;
- Provide effective management; and
- Manage operational and security issues.

Policies are also provided to identify and manage future change, accepting that change is inevitable with most occupied and functioning heritage sites including:

- Manage change including management as an overall strategy by implementing these policies;
- Guide change and new development within the site; and
- Identify and assess potential impacts.

Policies are then recommended for:

- Managing the site's potential archaeological resources;
- Involving associated people and communities;
- Keeping proper records and managing archive collections and records;
- Regular review and update of these policies;
- Presenting and interpreting the site and its story;
- Further research.

2. INTRODUCTION

2.1. Aims of the Conservation Management Plan

The aim of a Conservation Management Plan (CMP) is to identify the cultural significance of a place by investigating its history, fabric and context. The level of cultural significance determines the type and degree of acceptable change, the levels of maintenance required and the type of adaptive re-use that the place can undergo. This information is then used to suggest opportunities for making the place useable in order to keep it viable and ensure its future.

This CMP is intended to be a practical document that will guide future decisions about the place, Blocks 3 and 4 within the Newcastle East End (NEE) precinct, in order that the cultural significance is not compromised through inappropriate change. It will provide a framework/strategy for the management and conservation of the significant values of the place with regard to the relevant legislation and the requirements of the stakeholders.

2.2. Background

On 19 June 2017 a Staged Development Application (DA2017/00701) for a concept proposal of major redevelopment of Hunter Street Mall, a mixed-use development comprising retail, commercial, public spaces, residential (565 apartments), associated car parking and site works has been given consent by the Joint Regional Planning Panel (JRPP).

The above noted consent (DA 2017_00700) is subject to several conditions including heritage related matters associated with European Built Heritage (Condition 14), and Aboriginal and Historical Archaeology (Condition 15). Condition 14 stipulates the following:

European Built Heritage.

This development consent does not grant consent to any proposed physical works (including as proposed within the concept plan to which this consent applies) to heritage items and contributory items within the site will be subject to a detailed assessment of each development application which is to be accompanied by:

- (a) A Conservation Management Plan to be prepared for all listed heritage items and contributory items to guide the cultural significance of the items and architectural design of adaptations, alterations and additions and new buildings. The Conservation Management Plan must robustly consider all options for retention, (including interiors), viability of existing use and adaptive reuse. It is necessary for justification for demolition or removal to be supported by strong assessment and investigation, not unsubstantiated statements that the structural systems are unsatisfactory, services outdated and unsuitability for re-purposing etc...*

In January 2017 CPH was engaged by Iris Land Pty Ltd to prepare the CMP for the study area comprising four city blocks. Subsequent to the initial engagement it was clear that preparation of separate CMPs for each block to accompany the respective staged DAs would serve better for the purpose. Therefore, the following document is concerned with Blocks 3 and 4 only and makes reference to the other blocks where necessary. CMPs have already been prepared for Blocks 1 and 2 separately in conjunction with the Stages 1 and 2 DAs for this block (DA2017/00700), which was issued consent on 4 January 2018.

The overall aim of the project is to rejuvenate the Newcastle city centre after years of neglect while adaptively reusing the heritage buildings. The space is in a state of disrepair and decline, and rejuvenation will be achieved by a combination of new buildings and concepts that will create a living city coupled with adaptive reuse of heritage buildings, which will preserve and protect heritage elements in line with the conservation policies of this CMP.

2.3. Location of the Study

The subject site comprises of four city blocks and is bounded by Newcomen Street to the east, Hunter Street to the north, Perkins Street to the west and King Street to the south. There are a number of buildings located on this block, however, not all are the subject of this report, which relates specifically to Blocks 3 and 4 of the NEE precinct. For a more detailed description of the site and its context, see Section 3 - Site Context and Description.



Figure 1: Street map showing the location of the study area, circled in red. (Source: SIX Maps accessed 28 February 2022)



Figure 2: Aerial view showing the location of the study area, circled in red. (Source: SIX Maps accessed 28 February 2022)

2.4. Existing Heritage Status

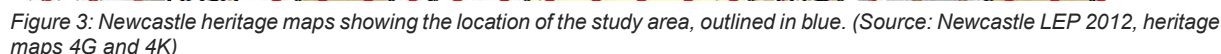
Located within Blocks 3 and 4 is only one heritage item that is listed on the following Statutory Instruments:

Instrument	Listing Name	Listing No.
Schedule 5 of the Newcastle Local Environment Plan (LEP) 2012	Municipal Building, 121 Hunter Street	I403

The NEE precinct is also located within the Newcastle City Centre Heritage Conservation Area (C4).

The NEE precinct is within close proximity to numerous heritage items including but not limited to the following:

- Former David Jones Building, 169-185 Hunter Street, item no. I40
- Former Lyrique Theatre, 98 King Street (Wolfe Street), item no. I423
- Retaining wall and sandstone steps, Wolfe and King Street, item no. I477
- Christ Church Cathedral, item no. I561;
- Newcastle Cathedral Park and Cemetery, item no. A6;
- Newcastle Herald Building, 28 Bolton Street, item no. I365;
- Former Emporium Building, 87-101 Hunter Street, item no. I398;
- Municipal Building, 122-132 Hunter Street, item no. I404;
- Former AA Dangar Building, 176 Hunter Street, item no. I408;
- Former School of Arts, 182 Hunter Street, item no. I409;
- Crown and Anchor Hotel, 189 Hunter Street, item no. I410;
- Former Johns Building, 200-212 Hunter Street, item no. I411;
- Dr Richard Harris' Residence, 81 King Street, item no. I422;
- Former Volunteer Fire Station, 115 King Street, item no. I424;
- Ireland Bond Store, 123 King Street, item no. I425;
- City Arcade and former Corporation Baths, 11 Newcomen Street, item no. I436;
- The Newcastle Club, 40 Newcomen Street, item no. I437;
- Former Victoria Theatre, 8-10 Perkins Street, item no. I444;
- Rundle Buildings (former R Hall & Sons Buildings), 161 Scott Street, item no. I458;
- Former Bebarfalds Warehouse, 175 Scott Street, item no. I459.



Address/ Building Name	Block Location
Sanitarium Building, 111 Hunter Street	Block 4
Former Soul Pattinson Chemists, 151 Hunter Street	Block 2
Former Royal Exchange Hotel, 153 Hunter Street	Block 2
Former Washington House, 163 Hunter Street	Block 1
Residence, 104 King Street	Block 2
Medical Centre, 106 King Street	Block 2
Medical Centre, 108 King Street	Block 2
Restaurant, 110 King Street	Block 2
Terrace building, 105 Hunter Street	Block 4
Blackall House, 22 Newcomen Street	Block 4
Former RAA EFA Court, 14 Thorn Street	Block 2

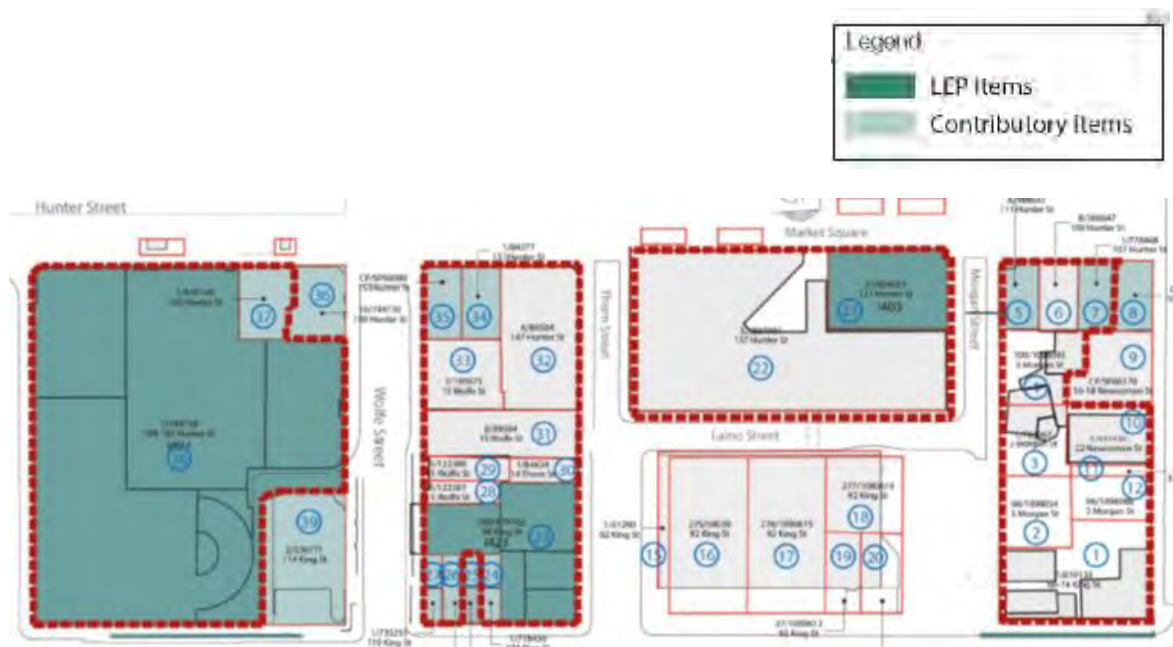


Figure 4: Map showing the LEP Heritage items and the TKD recommended Contributory items (Source: TKD SOHI, 2015, Appendix C)

2.5. Limitations

- A detailed historical and archaeological assessment, including an assessment of Aboriginal cultural heritage values, does not form part of the scope of this report. The Archaeological Assessment summary has been extracted from the *Aboriginal and Historical Archaeology Report - Newcastle East End* prepared by Umwelt in October 2015;
- The Lyrique Theatre has been attributed various different names over the years and the most recent iteration "Lyrique" will be used throughout this report when referring to the building in its current form;
- Community Consultation has not been undertaken by CPH and as such, an assessment of community values has not been conducted;
- The street numbering for the various buildings that are the subject of this report as identified in the TKD report prepared in October 2015 differs from the cadastral numbering identified in SIX Maps. As such, the SIX Maps addresses have been used.
- The buildings that have been already approved for demolition under the Staged Development Application (DA2017/00701) have been considered in line with the subject concept proposal.

2.6. Methodology

This CMP has been prepared in accordance with the guidelines of *The Burra Charter: Australia ICOMOS Charter for places of cultural significance* (Burra Charter), 2013; the NSW *Heritage Manual* 'Conservation Management Documents' and *the Conservation Plan* (7th edition, 2013) by James Semple Kerr and published digitally by Australia ICOMOS.

A main objective of a CMP, as outlined in the J. S. Kerr's Conservation Plan, is to set out the significance of the item and develop appropriate policies to enable the significance of the item to be retained in its future use and development. The NSW Heritage Manual indicates that a CMP should be a concise

document that makes reference to the other documentation where necessary rather than repeating the information included in previous reports unless of particular relevance.

All photographs have been taken by City Plan Heritage during the site inspections conducted between February 2017 and January 2022 unless otherwise stated.

2.7. Author Identification

The following report has been prepared by the following CPH team based on the historical background undertaken for the Newcastle East End Precinct as part of the CMPs for Blocks 1 and 2:

- Alexandra Gangan (Assistant Heritage Consultant) MCE, BCE, Cert.BAD
- Asmita Bhasin (Heritage Consultant) MHerCons, BArch, MICOMOS.
- Kerime Danis (Director - Heritage) MHerCons (Hons), BArch, MICOMOS.

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2.8. Sources

The historical context of this CMP is based on secondary and primary sources where possible. The following resources were accessed during the course of investigations for the CMP:

- TKD Architects, Newcastle East End Project, Staged Development Application, Statement of Heritage Impact, October 2015, issue B.
- Umwelt, *Aboriginal and Historical Archaeology Report - Newcastle East End Staged Development Application*, Final, October 2015.

Aerial photographs have been sourced from NSW Department of Lands Spatial Information eXchange (SIX) at <http://lite.maps.nsw.gov.au/> as it has detailed aerial maps for Sydney while the street map has been sourced from Google maps at <http://maps.google.com.au>. The NSW Department of Lands SIX website provided historical aerial photography from 1943. Google Maps has also been used as it shows more up to date visuals that more accurately show the current formation of the site.

Existing heritage listing- Inventory Forms, Schedule of Conservation and Cyclical Maintenance Works, and the Burra Charter have been included within the Section 12.0 – Appendices.

2.9. Acknowledgments

CPH gratefully acknowledges the assistance of the following individuals and organisations in preparing this CMP:

- Warren Duarte, Development Manager, Iris Capital
- Tom Vasey, Senior Heritage Collections Officer, Newcastle City Council Local Studies
- Professor Jane Shadbolt, Lecturer, School of Creative Industries, Faculty of Education and Arts, the University of Newcastle
- Jamie Boswell, Development Manager, Iris Capital

2.10. Copyright

Historical sources and reference material used in the preparation of this report are acknowledged and referenced in text and in figure captions. A reference list of cited sources is provided in Section 11 - Bibliography. Reasonable effort has been made to identify, contact, acknowledge and obtain permission to use material from the relevant copyright owners. Unless otherwise specified or agreed, copyright in this report vests in CPH and in the owners of any pre-existing historical source or reference material.

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2.11. Abbreviations

CMP: Conservation Management Plan

LEP: Local Environmental Plan

DCP: Development Control Plan

LGA: Local Government Area

HIS: Heritage Impact Statement

SHI: State Heritage Inventory

3. THE SITE AND CONTEXT

3.1. Site Context - Entire Study Area

The Newcastle East End Precinct is located approximately 170km north of the Sydney Central Business District (CBD). It is located in a mixed residential and commercial area, encompassed within the local government area of Newcastle City Council.

The Newcastle East End Precinct is located across four city blocks bounded by Hunter Street to the north, Newcomen Street to the east, King Street to the south and Perkins Street to the west. The Precinct consists of five city blocks, four of which are the subject of this report. These blocks are separated by various streets including Morgan Street, Laing Street, Thorn Street and Wolfe Street. Hunter Street, which runs east-west along the northern boundary of the Precinct, is a main commercial strip and features various restaurants and shops.

The Precinct is located on a steep topography that slopes down toward Hunter Street and is raised towards King Street.

Located directly south of the Precinct is the Christ Church Cathedral and associated cemetery, Newcastle Grammar School and the Newcastle East Public School. Located to the north are Scott Street, Wharf Road and the Queens Wharf which services the Stockton-Newcastle ferry over the Hunter River.

The immediate built environment surrounding the Newcastle East End Precinct consists of a mixture of commercial, community and residential developments and is located within the heart of the Newcastle CBD.

The Newcastle City Centre HCA is described on the State Heritage Database as follows¹:

The HCA is the urban core of Newcastle and has been the centre of activities since its settlement in 1804. As such, it is highly significant as a place which can evoke a sense of its past through the street layout, building fabric, sandstone retaining walls and kerbing, and its archaeological layers surviving beneath the modern streets and buildings. The CBD is essentially a narrow peninsula bounded on one side by the harbour, the other the sea, and at the western extremity by the arc of the Hunter river estuary. The street system is a grid laid out in street widths by Surveyor general Henry Dangar in 1828. This has not changed to this day although there has been significant reclamation of the foreshore to create Scott Street and the land the railway sits upon. Of special significance is the area of the Market place which still functions as a shopping precinct today - this can be seen on Dangar's 1828 town plan. One of the early convict coal mines was located under the present day location of Market Square shopping centre.

The following images provide an overview of the site's context.

¹ NSW State Heritage Inventory Database form for "Newcastle City Centre Heritage Conservation Area," form no. 2173904, accessed 16 February 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2173904>



Figure 5: View from the corner of Newcomen and King Street, looking south west towards the Christ Church Cathedral



Figure 6: General views of the surrounding area towards the intersection with Newcomen and King Street.



Figure 7: General views of the King Street and Newcomen Street intersection (left) and the Council carpark that is not part of the study but located in proximity (right).



Figure 8: General view of Hunter Street looking east from Block 3 buildings (left) and view looking north from the study area towards the water (right).

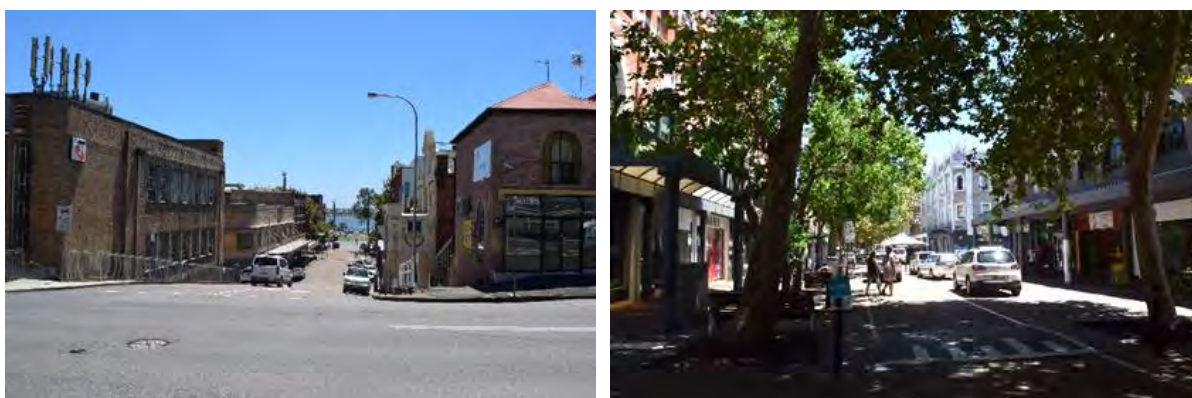


Figure 9: View of Wolfe Street from King street looking towards the water (left) and a general view of Hunter Street from the study area (right).

3.2. Description - Entire Precinct

The Newcastle East End Precinct is generally an irregular shaped site comprising various built elements with some landscape features also present. For ease of reference, the Precinct has been divided into four separate city blocks that encompass the following:

- Block 1 - bounded by Perkins Street, Hunter, Wolfe and King Streets;
- Block 2 - bounded by Wolfe, Hunter, Thorn and King Streets;
- Block 3 - bounded by Thorn, Hunter, Morgan and Laing Streets;
- Block 4 - bounded by Morgan, Hunter, Newcomen and King Streets.

The buildings that are the subject of this report include the following:

Street Address	Lot	Deposited Plan (DP)
Block 1		
169-187 Hunter Street	1	749729
163-167 Hunter Street	1	610140

Street Address	Lot	Deposited Plan (DP)
Block 2		
153 Hunter Street	10	1043870
151 Hunter Street	1	84577
15 Wolfe Street (also referred to as 21 Wolfe)	1	195975
	A	89504
	B	89504
	1	122380
	1	122381
14 Thorn Street	1	84634
98-102 King Street	500	879162
110 King Street	1	735255
108 King Street	100	810457
104 King Street	1	18456
Block 3		
113-121 Hunter Street	31	864001
123-141 Hunter Street	32	864001
Block 4		
111 Hunter Street	A	388647
109 Hunter Street	B	388647
105 Hunter Street	1	77846
3 Morgan Street	100	109895
	1	723967
	2	331535
	98	1098034
	96	1098068
22 Newcomen Street	1	331535
66-74 King Street (also known as 1 Morgan Street)	1	8191354

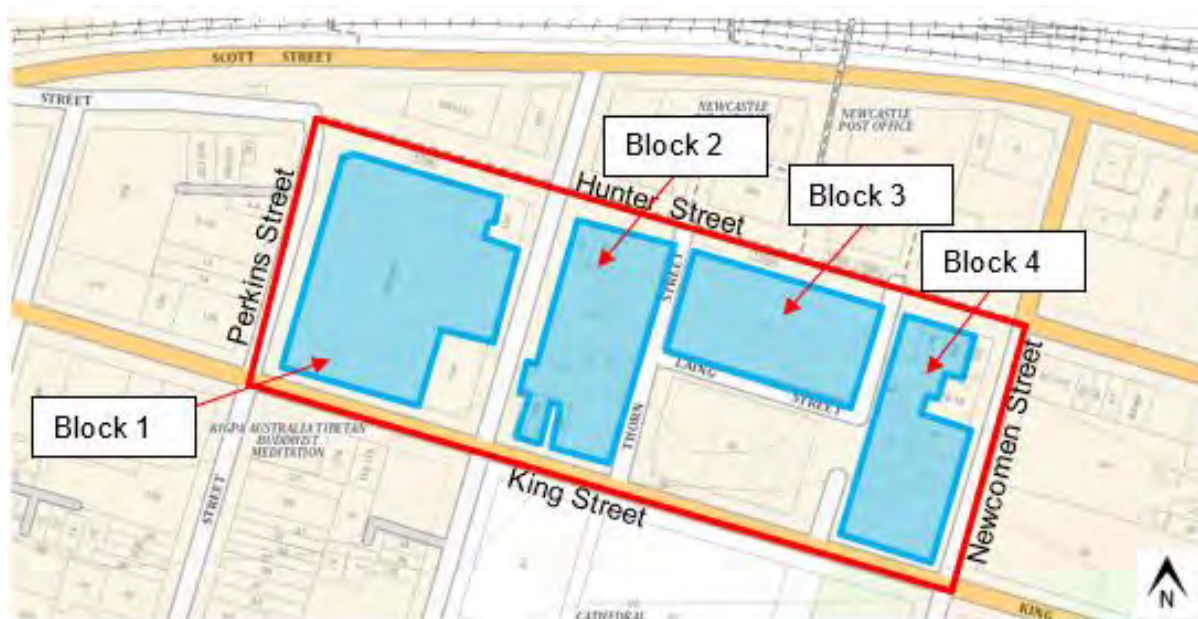


Figure 10: Street map showing the location of the study area, outlined in red, and the various buildings that are the subject of this report, outlined in blue. (Source: SIX Maps accessed 15 February 2017)

The following sections explore each of Block 3 and Block 4 separately and the various buildings located within these two blocks.

3.3. Block 3

The block includes the following buildings, of which only those in bold are the subject of this report:

- **113-121 Hunter Street;**
- **123-141 Hunter Street.**

Block 3 is bounded to the north by Hunter Street, to the east by Morgan Street, to the south by Laing Street and to the west by Thorn Street. The block is rectangular in shape and currently consists of two buildings that are partially interconnected internally. 113-121 Hunter Street wraps around the western and southern sections of the block while 123-141 Hunter Street is located on the corner of Hunter and Morgan Streets. Both buildings date from very different periods of development dating from the late 19th century (123-141 Hunter Street) to the 1980s (113-121 Hunter Street).

The following images provide an overview of the buildings located within Block 3 with the subsequent paragraphs exploring each of the subject buildings located within the block.



Figure 11: Street map showing the various buildings located on Block 3 with the building in red being those that are the subject of this report. The buildings in cream are outside the scope of this report. (Source: SIX Maps accessed 16 February 2016)



Figure 12: Aerial view showing the various buildings located in Block 3 with the buildings in red being those that are the subject of this report. The buildings not coloured are outside of the scope of this report. (Source: SIX Maps accessed 16 February 2017)

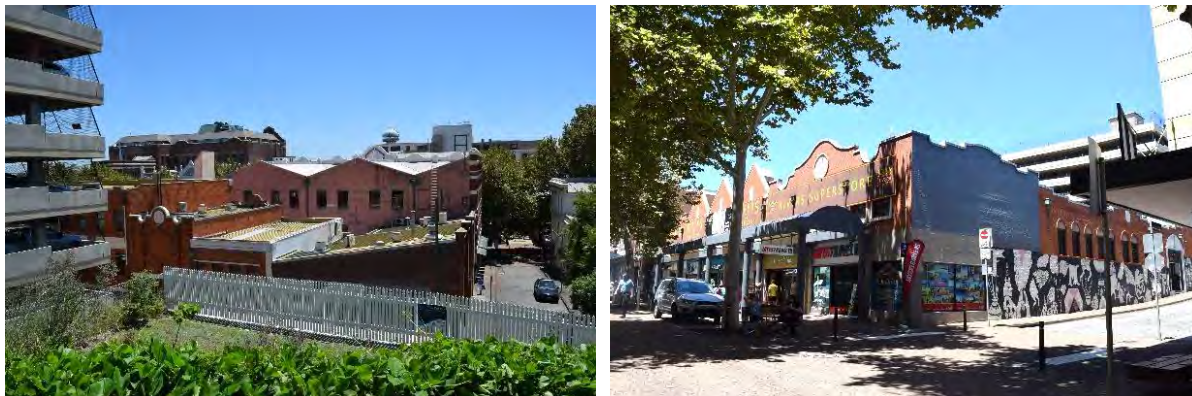


Figure 13: View looking north towards the southern elevations of Block 3 buildings (left) and view looking south east towards the corner of Block 4 buildings (right).

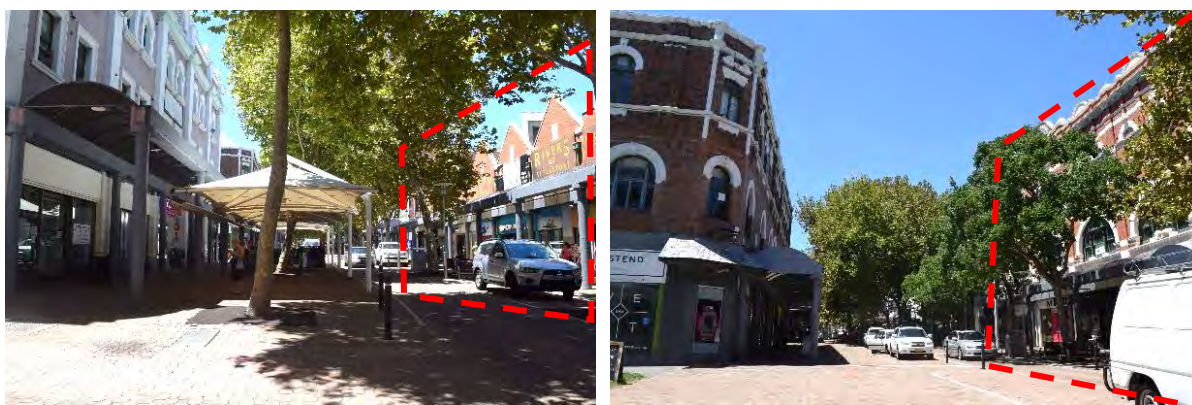


Figure 14: Views looking east along Hunter Street with Block 3 buildings visible to the right.

3.3.1. 123-141 Hunter Street

Located at 123-141 Hunter Street is a building dating from the 1980s and known as the Hunter Street Mall complex. The building occupies most of Block 3 and is organised in an L-shape. The building generally consists of two stories and has a prominent frontage to Hunter Street. This façade is of face brick and features shopfronts at ground level shaded by a contemporary domed awning. Above the awning level the façade has a high parapet consisting of various different shapes including triangles and scroll-like pattern. This pattern is repeated in the western façade of the building.

To the rear is a small courtyard area and an extension to the building that continues east. This extension consists of 4 stories and the northern façade reflects the façade detailing to adjacent former Municipal building located at 113-121 Hunter Street. This section of the mall also provides internally access and a walkway to the Council carpark located to the south.



Figure 15: View of the southern façade and walkway leading to the Council carpark, which is now being demolished (left). The view on the right is of the central courtyard and building to the rear.



Figure 16: View of 113-121 Hunter Street as viewed from the corner of Hunter and Morgan Streets.



Figure 17: View of the corner of Thorn and Morgan Streets (left) and a view looking north with the eastern façade of the building visible to the right (right).

3.3.2. 113-121 Hunter Street

The Municipal Building located at 113-121 Hunter Street is noted as being a contributory building in the TKD report from October 2015.

Originally designed by T.W. Silk in the Federation Free style in 1908, this Municipal building was one of the last buildings erected by the Newcastle Borough Council in an attempt to revitalise the retail hub of the city². It is significant for its siting over a portion of the market square reserve set aside in Henry Dangar's town plan of 1822. Dangar's plan organised Newcastle by planning out areas for schools, churches, municipal buildings, of which this is one, and the surrounding streets of Hunter, Thorn, and Morgan Streets relevant to this report³. The layout was a grid of three east-west as well as seven north-south streets, with a central axis at Christ Church, descending to a broad market at Hunter Street (what is now Market Square)⁴.

The commercial building next to the former Municipal Building of 1908 continues to act as part of the Hunter Street Mall (marketplace) on either side of Hunter Street. The block size is 3393m² and it is attached via an overpass corridor across Laing Street to a carpark on the other side⁵.

Currently, the building is adjacent to a series of retail outlets that form the Hunter Street markets, most notably the former Rivers superstore (now vacant) along the Hunter Street front. The retail outlets of these markets continue into the Municipal building, which has been repurposed as part of the commercial centre, housing a variety of retail entities, only the heritage façade of the building being retained. This is in line with the 'Integrity and viability' guiding principle of the strategic planning for Newcastle's urban renewal which emphasises the growth and development of the city centre while reinforcing the integrity and uniqueness of the Newcastle⁶. This reflects the continued historical development of Newcastle from an industrial coal mining centre to one of increased commercial and retail development in alignment with the increased population⁷. Presently, Hunter Street Mall runs between 105 and 169 Hunter Street, Newcastle.

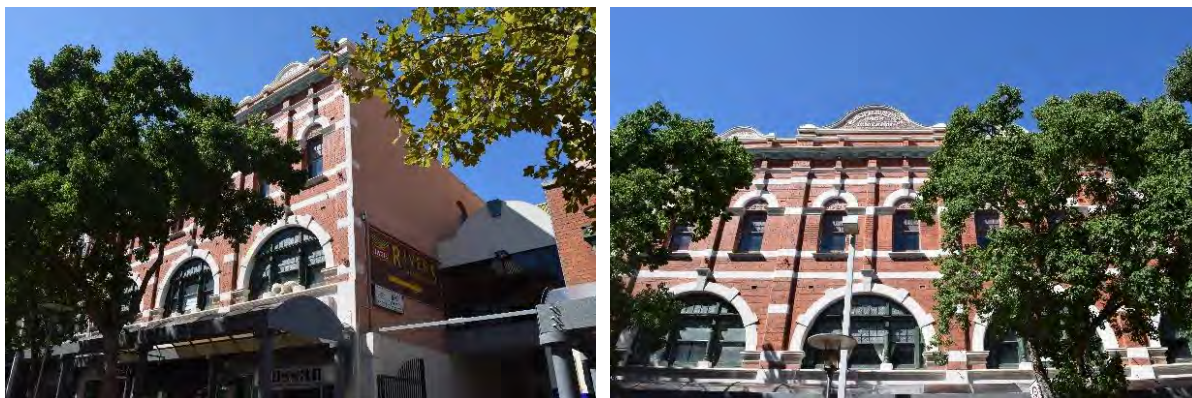


Figure 18: Views of the Hunter Street façade of the former Municipal building.

² Newcastle City Council, 'Newcastle by Design,' p.1, accessed 8 March 2017 via http://121.50.208.46/newcastle/Newcastle_by_Design.pdf

³ Ibid, p 2

⁴ The City of Newcastle, 'Heritage Strategy 2013-2017,' p. 7, pp. 1-32. Accessed 15 March 2017, from http://www.newcastle.nsw.gov.au/Newcastle/media/Documents/Strategies,%20Plans%20and%20Policies/Strategies/Heritage_Strategy_2013_2017.pdf.

⁵ '121 Hunter Street, lot 32 Plan DP864001,' accessed 9 March 2017 from <https://www.allhomes.com.au/ah/research/121-hunter-street-newcastle-nsw-2300/20722116711>

⁶ NSW Government, Planning and Infrastructure, 'Newcastle Urban Renewal Strategy 2012,' p. 19, pp. 1-33

⁷ National Library of Australia, Dungog Chronicle Tuesday 15 June 1937, 'Newcastle as a Market.' Accessed 9 March 2017 from <http://trove.nla.gov.au/newspaper/article/141521191?searchTerm=newcastle%20market%20place&searchLimits>

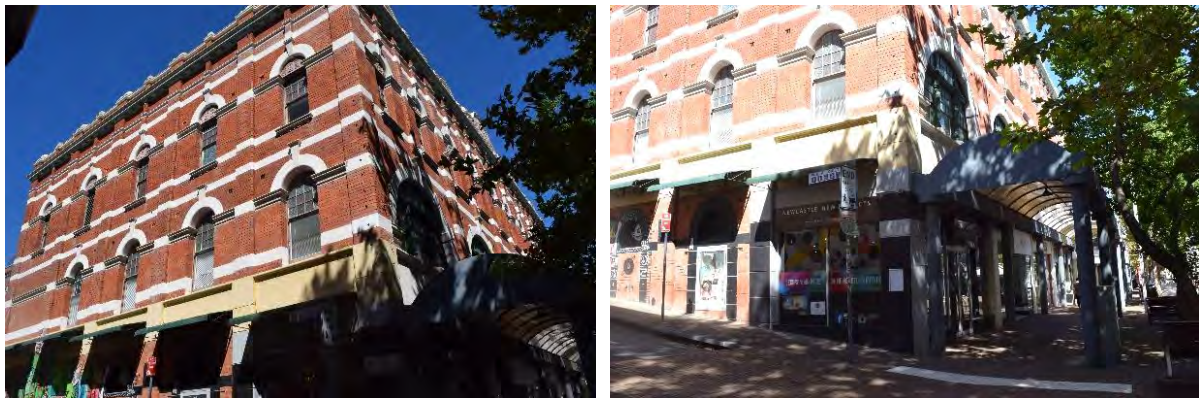


Figure 19: Views of the eastern façade of the former Municipal building.

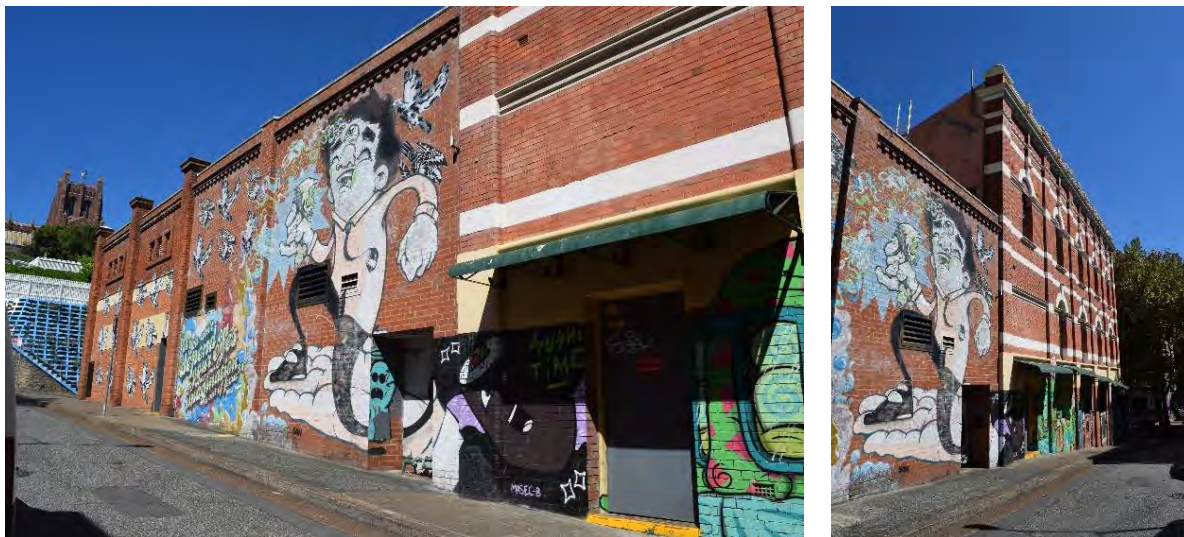


Figure 20: Detailed views of the south eastern façade of the building.

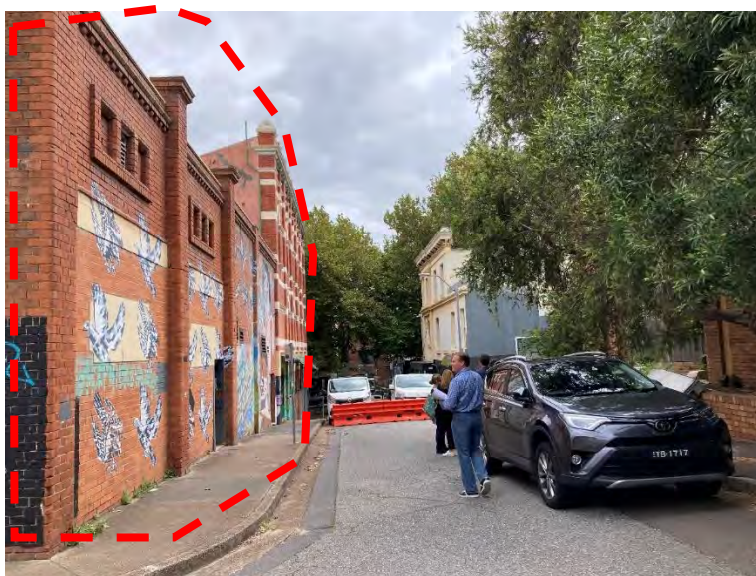


Figure 21: View looking north along Morgan Street with the Municipal building visible to the left.

Interior

The building has been significantly modified internally and currently consists of ground floor commercial spaces predominately occupied by clothing stores and offices suites to the first and second floors. The configuration of the suites and floors are mostly the same throughout with some slight differences present in the fittings installed by various occupants.

Internal access was not gained to the ground floor commercial tenancies; however, the following images provide an overview of the current condition and configuration of the former Municipal building.



Figure 22: Internal views of the former Municipal building showing a central hallway (left), detail of a window facing Hunter Street (centre) and entrance leading to a later 1980s overpass extension (right).

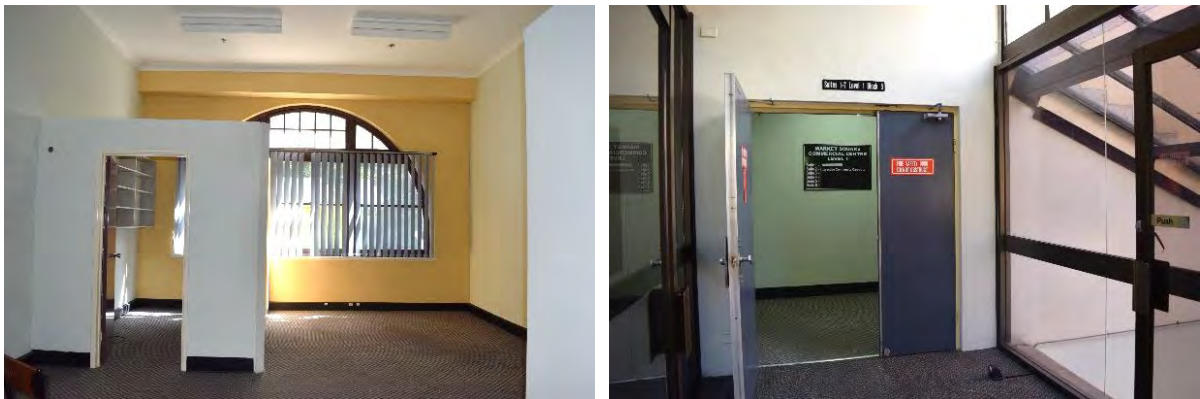


Figure 23: Internal views of an office space within the building (left) and a hallway exit (right).

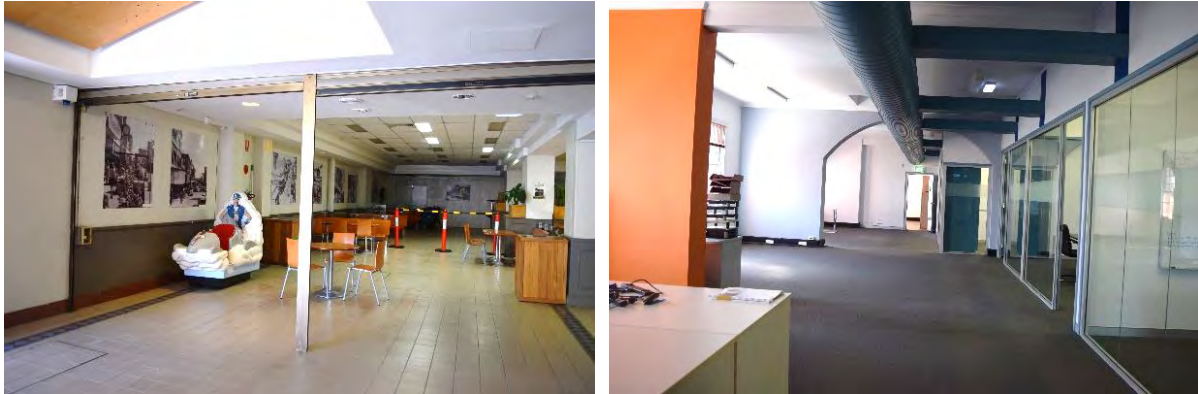


Figure 24: Within the building is a small food court accessible via Hunter Street (left). The image on the right is an internal view of an office located on the second floor.



Figure 25: Internal views of the office space located on the second floor.

3.4. Block 4

The block includes the following buildings, of which only those in bold are the subject of this report:

- 111 Hunter Street;
- 109 Hunter Street;
- 105 Hunter Street;
- 3 Morgan Street;
- 22 Newcomen Street;
- 66-74 King Street and 1 Morgan Street (located within the same Lot and DP);
- 16-18 Newcomen Street (not part of the NEE precinct); and
- 103 Hunter Street (not part of the NEE precinct)

Block 4 is irregular in shape and divided into 8 separate allotments, with the largest being 3 Morgan Street. The buildings fronting Hunter Street directly about one another and are in a terrace style while the buildings to the rear of the block are generally free standing. The centre of the block is also divided by a small parking area, associated with 66-74 King Street.

The character of the buildings located within the block greatly differ and most were developed at differing periods. The topography of the block inclines towards King Street and as such, the buildings to the south (66-74 King Street, 3 Morgan Street and 22 Newcomen Street) are located on higher ground to the buildings facing Hunter Street.

The following images provide an overview of the buildings located within Block B with the subsequent paragraphs exploring each of the subject buildings located within the block.



Figure 26: Street map showing the various buildings located on Block 4 with the building in red being those that are the subject of this report. The buildings in green are not owned by Iris Capital and are outside the scope of this report. (Source: SIX Maps)



Figure 27: Aerial view showing the various buildings located in Block 4 with the buildings in red being those that are the subject of this report. The building in green are not owned by Iris Capital and are outside of the scope of this report. (Source: SIX Maps)



Figure 28: View of Hunter Street looking west from Newcomen Street with Block 4 visible to the left (left) and view of Newcomen Street with 103 Hunter Street and 16-18 Newcomen Street visible (right). Both these buildings are not the subject of this report.



Figure 29: View of Newcomen Street looking north west towards Block 4 buildings (left) and view of King Street from Newcomen Street looking south west with Block 4 visible to the right (right).



Figure 30: View looking north along Morgan Street to the west of Block 4 buildings, accessible via King Street (left) and view looking north east towards Block 4 and other buildings within Hunter Street (right).



Figure 31: View from the section of Morgan Street accessible from King Street, looking north towards Morgan Street with Block 4 buildings visible to the right (left) and view of Morgan Street looking north (right).

3.4.1. 111 Hunter Street

The commercial terrace building located at 111 Hunter Street is in the Victorian Free Classical style and was constructed in c.1890. Located on the corner of Hunter and Morgan Streets, the building has a prominent splayed corner and geometric form that is echoed in the architectural and decorative detailing present within the façade. The principal elevation of the building is to Hunter Street; however, the faceted

design of the corner of the building and splayed entrance gives equal prominence to the Morgan Street façade. The site is rectangular in shape with access available on foot to the rear of the building where a set of stairs leading to 3 Morgan Street are located. It is noted as being a contributory building in the TKD report from October 2015.

The building consists of three stories, with the ground floor having been modified numerous times since construction to accommodate the various requirements of previous ground floor commercial tenancies including a jeweller, hat and cap manufacturer and a café. In addition, there was once a wrap-around veranda as seen in Figure 32, which was later removed along with the awning posts. The awning is a later replacement.

Changes have been made below the awning to accommodate the café and clothing store that currently occupy the ground floor of the building. The café, which occupies the corner store, includes a large bi-fold door opening to Hunter Street and a service window to Morgan Street. Centrally placed within the Hunter Street entrance to the café is a large pillar, installed at a later date to support the awning. The original splayed corner no longer exists, and the ground floor café's Hunter Street façade is set further back than the neighbouring stores. The café façade has also been painted in a series of coloured hexagons. Towards the rear along Morgan Street is an entrance with a striped hooded awning, that leads to the upper levels of the building.

The clothing store "Bling" occupies the eastern-most store within the ground floor of 111 Hunter Street. As previously detailed, the shopfront extends beyond the café entrance and is in alignment with neighbouring stores to the east, located within the same block. The shopfront consists of large areas of glazing for a shopfront display on either side of a central recessed entrance. Around the shopfront window is a rendered façade painted neon orange and above is the shop's sign with a prominent black and white striped background.

The awning is of a simple metal design, painted in grey. It is at a lower level to the adjoining commercial terraces to the west; however, it features an indentation on the corner, reflecting the original splayed entrance and faceted form of the above awning façade.

The façade above the awning is highly intact and has retained a significant amount of original architectural detailing despite the removal of the first floor verandah. The window openings are of a simple rectangular form with a prominent sill at its base. The double hung windows are of timber and appear to be original. The easternmost window on the first floor is externally clad in metal bars, painted in the same pale yellow as the façade detailing. The windows repeat in sets of two in the Hunter Street façade, one on each level in the corner section of the façade while the Morgan Street façade has four on the first floor and three on the second floor. The first floor has one window, centrally placed, that appears to have been infilled.

Between the first and second floors is a horizontal banded string course in a stepped cornice-like design, painted in a pale yellow colour, which adds contrast to the cream coloured façade. Within the second floor façade is a similar trim on a smaller scale above the windows in addition to a set of Corinthian style columns that frame the windows in sets of two. These columns do not appear in the first floor façade, possibly as it was predominately obscured from view by the balcony that no longer remains.

Directly above the second floor windows towards Hunter Street is a series of lettering saying, "Sanitarium Building," which relates to the later use of the building, although historical research to date has not uncovered the connection. These letters have not been directly adhered to the façade and as a result, project a shadow onto the façade. The building is surmounted by a prominent geometric parapet with a dentilated pattern, stepped cornice design and a series of corbels. The high parapet conceals the flat roof of the building.

It should also be noted that the first floor of the building extends further south along Morgan Street than the second storey, as evident in Figure 34. There is also an air conditioning unit attached externally to the awning and first floor window on the corner.

The following images provide an overview of the current condition and configuration of 111 Hunter Street.



Figure 32: Ralph Snowball photograph from April 1891 showing the building at 111 Hunter Street, prior to removal of the awning and balcony. At the time the site is occupied by a dentist, jeweller and hat/cap manufacturer. (Source: University of Newcastle Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/4862444616/in/photostream/>)



Figure 33: View of 111 Hunter Street showing the geometric form and detailing to the first and second floors (left) and a full view that shows the contrast between the modified ground level and upper levels (right).



Figure 34: View from Morgan Street of the rear of 111 Hunter Street showing the infilled window to the ground floor, the difference in length of the levels and the high parapet (left).

Interior

The ground floor of the commercial terrace building has an open retail use (currently not in use), while the upper floors reflect residential uses. The building has a central staircase, accessible via Morgan Street, with contemporary floor tiling and painted metal balustrades. The first floor has various amenities, including a kitchenette, bathrooms, and storage. All the windows on the first floor are similar rectangular, timber-framed single-hung windows with clear glazing; however, some of the windows have metal grills on the inside. The second storey of the subject commercial building has bigger rooms and spaces with carpeted flooring. The windows on the upper floor are similar, timber-framed single-hung windows, but some of the windows have textured glazing.



Figure 35: Shop front of 111 Hunter Street, view looking southwest.

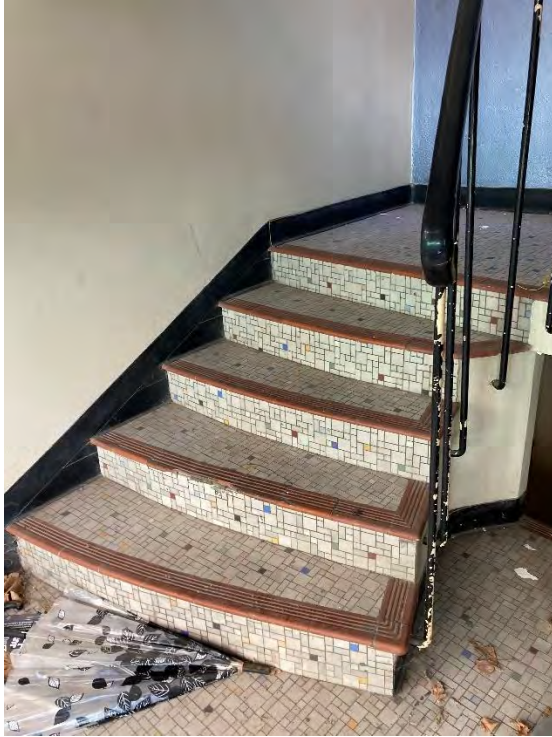


Figure 36: Staircase accessible via Morgan Street.

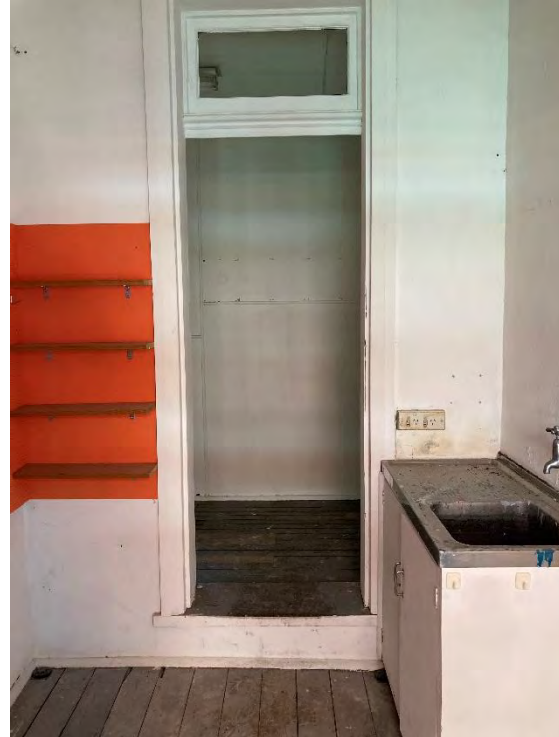


Figure 37: Kitchenette at first floor level.



Figure 38: Timber framed single-hung windows with metal grill.



Figure 39: Level 2 of the commercial terrace building.

3.4.2. 109 Hunter Street

Located at 109 Hunter Street is a two-storey commercial terrace building constructed in 1926 and located between 111 and 105 Hunter Street. The building is on a lower scale to the surrounding commercial terraces and the principal elevation is to Hunter Street. There does not appear to be any rear access available to the site. The building has been constructed of brick and painted in a cream and pale yellow colour, which reflects the colour scheme seen in 111 Hunter Street.

The building has been subjected to a series of alterations and additions both internally and externally. These works include the cladding over of the façade during the 1970s, removal and reinstatement of the bay windows, removal of the original foundation date and reinstatement with a new one and changes to the ground floor tenancy and façade, to meet the various requirements of tenants over the years. As such, the façade below the awning has been heavily modified and currently comprises of extensive sections of glazing for the creation of shopfront windows, surrounded by metal window frames. There is a central recessed entrance and a large sign above that extends the width of the store. Originally, the shopfront consisted of two alternating windows and shop windows as seen in Figure 35. The awning is larger than the adjoining sites and is on a slightly higher level than the awning of 111 Hunter Street.

Above the awning are two faceted bay windows with sloped roofs and metal framed double hung windows to each side. The bay windows appear to be a reinstatement of the original windows, following removal in the 1970s when the façade was clad over. Above is a simple arched parapet and a central foundation date of 1926 with the letters "FJ," referring to the store Fletcher Jones, which once occupied the site. Between the bay windows is a centrally placed air conditioning unit.

The following images provide an overview of the current and historic condition and configuration of 109 Hunter Street.



Figure 40: View looking south east towards the Hunter Street façade of 109 Hunter Street (left). The image on the right dates from 1938 and shows the original shopfront below the awning, bay windows and panel between the original foundation date (right). (Source: Newcastle University Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/8641073669/in/photostream/>)

3.4.3. 105 Hunter Street

The commercial and residential terrace building located at 105 Hunter Street is in the Inter-War terrace style and dates from the late 1910s and early 1920s. It is a rectangular shaped building that occupies the entire allotment and is located between 109 and 103 Hunter Street. The primary elevation of the building is to Hunter Street, however, there does not appear to be any rear access to the building.

As with the other buildings within Block 4, 105 Hunter Street has been externally modified below the awning and this has resulted in the western section being clad in timber panelling. The two shops at ground level are not equally divided, with the eastern Subway store being slightly larger. The eastern shop is currently occupied by a Subway store and a large "Subway" sign sits above the central entrance and black fabric awning. The Subway entrance is symmetrical while the western shop is asymmetrical. Both feature large metal framed windows and doors.

105 Hunter Street is the only building within Block 4 that does not have an awning, however, as evident in Figure 36, an awning was once located above the ground floor shopfronts.

The façades above the ground floor shopfronts to the first, second and third stories are identical and highly symmetrical. On each level there are two faceted bay windows at each level separated by a dentilated pattern under the windowsill above. Underneath the first floor windows are three triangular corbels and on either side of the windows are vertical bands of quoining, particularly evident in the corners of the building.

Atop the building is a geometric parapet and a flat roof, set behind the parapet.

The following images provide an overview of the current and historic condition and configuration of 105 Hunter Streets.



Figure 41: View looking south east towards the Hunter Street façade of 105 Hunter Street (left). The image on the right shows a partial view of the building from 1938. (Source: Newcastle University Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/8641073669/in/photostream/>)

Interior

The subject building (109 Hunter Street) is a double-storey structure connected via an early timber automatic elevator from Standard-Waygood Limited. The first floor has varied studio spaces with amenities such as laundry and toilets connected via a corridor. The ceiling and cornices on the first floor are highly decorative, with contemporary light fittings. The walls and ceilings have started to acquire dampness, causing the plaster to peel off. The subject building has timber-framed, single-hung windows with clear glazing and metal grills over the lower window panel attached to the window frame.



Figure 42: Timber automatic elevator from Standard-Waygood Limited.



Figure 43: Timber automatic elevator from Standard-Waygood Limited.



Figure 44: Decorated ceiling and cornice in the corridor.



Figure 45: Dampness along the internal walls with peeled-off plaster.

3.4.4. 3 Morgan Street

3 Morgan Street is an irregular shaped block with frontages to both Morgan and Newcomen Streets. The southern part of the block, which faces onto Newcomen Street, is currently used as a parking area for an apartment building and commercial building located at 66-74 King Street. The ground is partially covered in concrete and around the northern and eastern side is protected by a low metal fence. It is accessible via the southern section of Morgan Street, which runs along the western side of the block and terminates at the car park. Due to the topography of the site, the carparking section of the block is separate to the northern section, which can be accessed from the southern section by a set of stairs located towards the north western corner of the carpark.

Located within the northern portion of the block is a mid-20th century Chapel, formerly known as the Calvary Chapel of Newcastle. The Chapel is a single storey building with an asymmetrical massing and prominent vertical brick pillar with a cross facing Morgan Street. The roof form consists of various asymmetrical roof planes that intersect, and the boundary is demarcated by a low orange brick retaining wall. The site also incorporates a number of trees that partially obscure the building from view as seen in Figure 37 and to the rear is dominated by a recent residential apartment development at 16-18 Newcomen Street. The building is separated from 111 Hunter Street by a set of stairs that leads to the Chapel site. Towards the northern section of the site is a two storey red brick building with a flat roof, which is incorporated as part of the Calvary Chapel site.

Also located within the 3 Morgan Street site is an Inter-War building extension located directly south of the Calvary Chapel and north of the carpark, accessible via Laing and Morgan Streets. While this building is an extension of Blackall House, it is located within the site of 3 Morgan Street and therefore is explored below.

The low orange-red brick retaining wall along the Morgan Street boundary of the Calvary Chapel continues south and increases in height, partially obscuring this section of the site from view from within the streetscape. As with the Calvary Chapel section of the site, this section includes a number of medium sized trees and bushes that partially obscures it from view from within Morgan Street. Along the southern section is a concreted driveway and a flat roofed pergola, accessible via Morgan and Laing Streets. To the east is an Inter-War extension to Blackall House (22 Newcomen Street) constructed of red brick with a pitched roof and prominent bargeboard. It appears to be a later addition to Blackall House.

The interior of the Calvary Chapel was not viewed during the site inspection conducted by CPH.

The following images provide an overview of the current condition and configuration of 3 Morgan Street.



Figure 46: View looking west from Newcomen Street towards the southern portion of 3 Morgan Street (left). The image on the right is a view looking south along Morgan Street with 3 Morgan Street and the Calvary Chapel visible to the left.



Figure 47: View looking east from Morgan Street towards the carpark located at 3 Morgan Street. The apartment building to the right is located at 1 Morgan Street.



Figure 48: View looking east of the northern section of 3 Morgan Street looking towards the principal elevation of the Calvary Chapel. Note the development to the rear and pitched roof of the Blackall House rear extension.

3.4.5. 22 Newcomen Street

Located at 22 Newcomen Street is a two storey Inter-War red and orange brick rectangular shaped building that was constructed in 1936 as a community hall facility for the Adult Deaf and Dumb Society of Newcastle. Known as "Blackall House," the building was named after Mrs Ruby Blackall, former Mayoress of Newcastle, who dedicated her life to the community and played a major role in the procurement of funds for construction of the building. It is noted as being a non-contributory building in the TKD report from October 2015.

Blackall House's primary façade is to Newcomen Street and consists of a symmetrical façade with red brickwork at the base and orange brickwork to the rest of the façade, with some intermittent horizontal bands of red bricks present, arranged in horizontal orientation. There are a number of double hung timber framed margin casement windows within the façade, either singularly placed or grouped in sets of two. The building has a centrally placed entrance surrounded by a rendered scallop shaped pattern and surmounted by a flat concrete awning. Due to the topography of the site, the front entrance is accessible via a set of stairs and a recessed portico entrance. Above the entrance is a small horizontal timber framed window with four square panes of glass. Within the base of the Newcomen Street façade is a foundation stone detailing the origins of the building and when it opened.

The building has a tiled hipped roof, which has been painted white on the underside of the eaves. Underneath the eaves are a series of timber corbels, painted in red and grouped in sets of two. There are also two original lanterns affixed to the front façade on either side of the building's name "Blackall House."

The window frames and front entrance have recently been re-painted.

The following images provide an overview of the current condition and configuration of 22 Newcomen Street.



Figure 49: View looking southwest towards the Newcomen Street elevation of Blackall House. Note the margin casement windows and pattern in the façade brickwork which employs red and orange bricks.



Figure 50: View looking northwest towards the Newcomen Street façade and southern elevation. The topography of the site partially obscures the southern elevation from view.

Interior

Blackall House has a covered, recessed entrance facing Newcomen Street with multi-paned timber framed double door. The entrance door leads to a wider access corridor, further leading to the studio space. The access corridor has a corbelled opening separating the corridor. At the entrance, to the right, is a timber, dog-legged staircase with a storage room at the back. The timber staircase has a timber balustrade with timber wall string. Adjacent to the ground floor studio is the pantry and toilets. The toilets have contemporary plumbing fittings and fixtures with tessellated floor tiling.

At the end of the corridor/hallway is the studio, with an exposed sloped ceiling. The roof of the studio is supported over timber beams and bracing with temporary HVAC equipment running in between. The windows in the studio are double-framed, single-hung windows with simple cover mouldings. The studio has a raised platform (the stage) with enclosed storage spaces on both sides. The walls facing the exterior within the studio have wall air vents above the windows. The sloped ceiling within the studio also has wider air vents with timber lattice covering. The building is currently being used as a studio for various classes, including Zumba.

The pantry located adjacent to the studio has a dado with chair rail detailing; the dado has a painted finish with vertical grooving. The pantry also has a similar, multi-paned, timber-framed single-hung window at the centre with early air vents above. A similar window with textured glazing is also located at the first landing of the dog-legged staircase in the hallway.

At the end of the staircase on the first floor is another doorway with double doors, sidelight, and transom, all with decorative leadlight textured glazing. Past the main doorway is a buffer space with a decorative plastered niche on the wall. The buffer space leads to another studio space with similar window openings. The studio space on the upper floor has a simple, flat ceiling with a pattern formed using timber battens. The studio has multi-paned, timber-framed single-hung windows, similar to the ones on the ground floor. A toilet facility is also located adjacent to the upper floor studio space with similar tessellated floor tiling partly damaged along the doorway.

The following internal images provide an overview of the current condition and configuration of 22 Newcomen Street.



Figure 51: Entrance doorway to Blackall House at 22 Newcomen Street.



Figure 52: Entrance Hallway at 22 Newcomen Street leading to the ground floor studio.

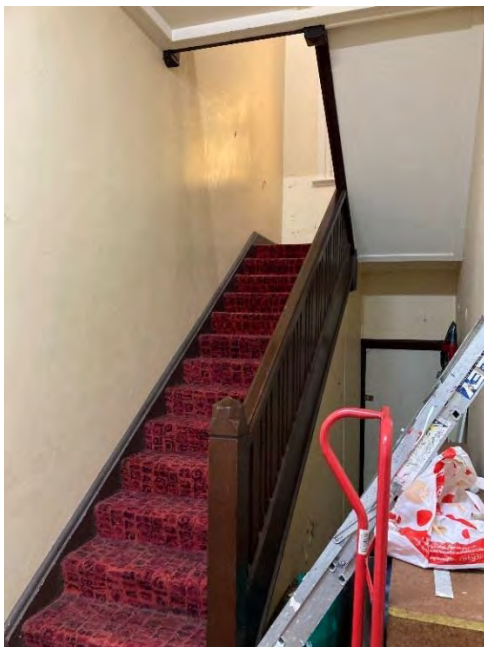


Figure 53: Dog-legged timber Staircase adjacent to the entrance hallway.



Figure 54: Toilet facility at ground floor level, adjacent to the studio.

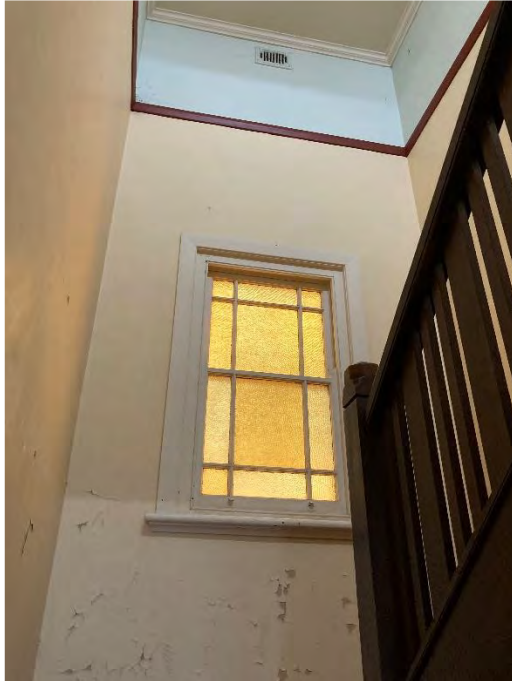


Figure 55: Multi paned, timber framed single hung window at the first landing of the timber staircase.



Figure 56: Kitchen / Pantry at ground floor level, located adjacent to the studio.



Figure 57: Ground floor studio with painted walls and raised timber platform.

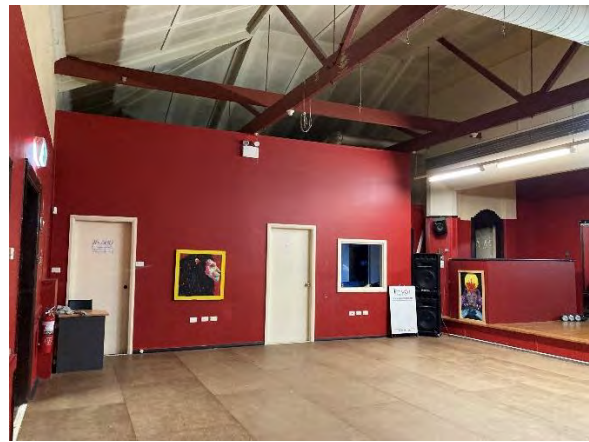


Figure 58: Ground floor studio with painted walls and sloped ceiling with early timber beams and bracing.



Figure 59: Decorative doorway at first floor level.

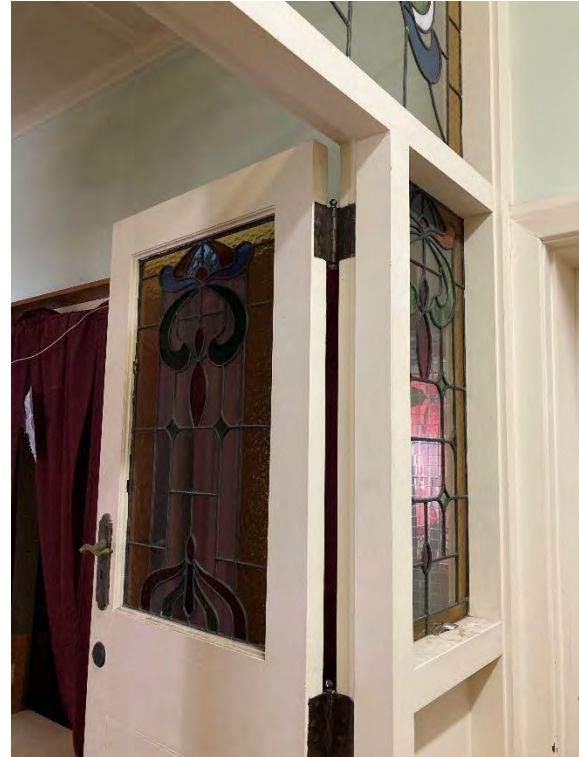


Figure 60: Timber framed doorway, transom and sidelights with decorative lead light glazing.



Figure 61: Studio with painted red walls at first floor level.



Figure 62: Studio with painted red walls at first floor level.



Figure 63: Toilet facility at first floor level.



Figure 64: Damaged tessellated floor tiling at first floor toilet facility.

3.4.6. 66-74 King Street and 1 Morgan Street

Located within Lot 1 of DP 819134 are three buildings including 66 and 74 King Street and 1 Morgan Street. The site is located on the highest point of Block 4 and therefore is prominently visible from within Newcomen, King, Morgan and Laing Streets.

The following descriptions explore each building located within the site separately.



Figure 65: Aerial view of Lot 1 of DP 819134 showing the various buildings located within the site. (Source: SIX Maps accessed 3 April 2017 via <https://maps.six.nsw.gov.au/>)

66 King Street

The commercial building located at 66 King Street is located on the corner of King and Newcomen Street, consists of two stories and dates from 1990s. The building is considered two storied due to the topography of the site, which slopes downwards toward the northern end and as such, creates a basement parking garage accessible from Newcomen Street.

The building is of redbrick construction and has been clad in pale green tiles along the southern and part of the eastern façade and has a wide cream coloured horizontal rendered band along the top of the King Street façade. Through the centre of the façade is a horizontal band of cream coloured tiles. The main entrance and primary façade is to King Street, which features a combination of square metal framed windows filled with glass bricks and a larger shopfront window to the corner of King and Newcomen Streets. The Newcomen Street façade features long horizontal metal framed windows.

Directly in front of the King Street building within the footpath is a low sandstone wall and a timber fence painted white. To the west of the building are two medium sized trees that provide separation between 66 King Street and neighbouring buildings.

Towards the rear of the building, to the north, is a driveway entrance that also provides access to 1 Morgan Street.

It is currently used as a club house for the Australian Men's Shed Association.

74 King Street

Located at 74 King Street is a timber and brick two storey building dating from pre-1930s. This former residence has a primary entrance to Morgan Street and is located on the corner of Morgan and King Streets. The King Street façade is prominently visible and consists of a painted brick base, horizontal timber cladding and features a series of windows that have been boarded up, however, have retained some of their timber shingle sloped window eyelids. There is a former entrance visible within this façade, however, it has also been boarded up. A prominent rendered fireplace is also visible to the roof from within King Street.

The Morgan Street façade, as with the King Street façade, has been partially boarded up and only the ground floor window has retained its timber shingle eyelid. There is also a covered and partially enclosed porch to the entrance with a painted brick base, timber posts and low pitched pyramid hipped roof clad in corrugated metal. The façade is asymmetrical in form and there is a small garden adjoining the porch, with a low brick fence, central set of stairs and metal palisade fence.

The northern façade features timber bay windows to the first and second floors with double hung sash windows to each facet of the bays.



Figure 66: Western Elevation of weatherboard residence at 74 King Street.

Interior

The entrance doorway along the western elevation of the weatherboard residence leads to an entrance hallway connected to a drawing room (formal space to entertain guests) and a living area. The two spaces are interconnected through a doorway and can be directly accessed via the entrance hallway. At the end of the hallway is the room with a timber staircase connecting with the upper floor level.

The drawing room, adjacent to the entrance hallway, has a series of triangular arched windows with leadlight glazing. Some of the windows are internally covered with timber boards to prevent unauthorised access to the residence. The room has painted timber cornices and skirting with curved beading. The living room adjacent to the hallway has a series of rectangular doors and windows with similar decorative leadlight glazing. The windows are also partly covered with timber boards, similar to the ones in the

dining room. Adjacent to the living room entrance is a fireplace with a broken mantel and surround. A decorative picture rail with brackets also runs around the living area. The living area has a timber ceiling with a cornice and a timber beam supporting the ceiling.

The living area is further connected to the kitchen and bathroom. The kitchen has a metal sink with triangular arched windows above, adjacent to the bathroom doorway. At the back of the kitchen and bathroom is a corridor leading to the backyard with a timber battened door. A storage room is also located at the back of the residence.

The timber staircase past the entrance hallway has a low-height timber balustrade and timber string. The staircase at the upper level has a few broken and missing balusters. The staircase further leads to the upper-level corridor connected to the bedrooms. The bedrooms have a similar cornice and skirting detailing with timber-framed triangular arched windows. Some of the upper floor rooms have rectangular timber framed singular windows. But, other than the various forms of window frames, all the windows have similar leadlight glass detailing. The external walls in the bedrooms also have wall air vents. One of the upper-floor bedrooms also has a fireplace with a broken mantel and surround.



Figure 67: Decorated windows in drawing room.



Figure 68: General view of ground floor living room.



Figure 69: Timber ceiling with cornice in living room.



Figure 70: Door opening between living room and drawing room.



Figure 71: Fireplace in the living room with broken mantel and surround.

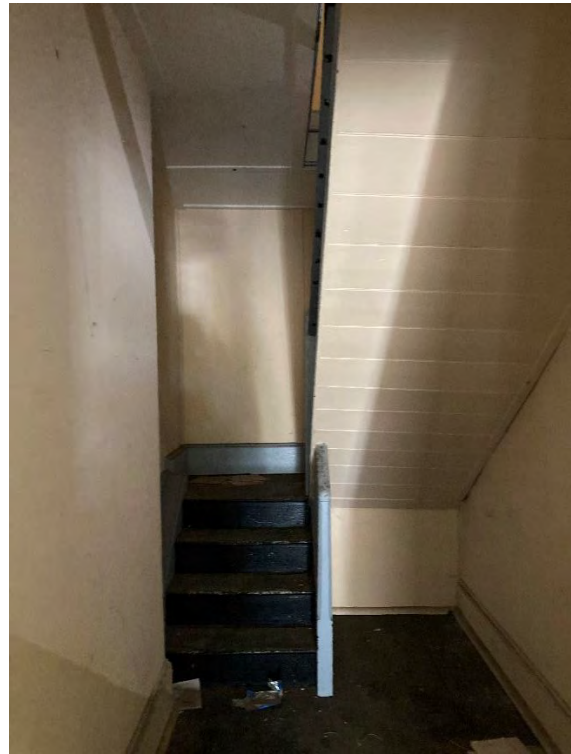


Figure 72: Timber staircase at the end of the entrance hallway.



Figure 73: Triangular arched windows in the kitchen.



Figure 74: Fireplace at upper floor level.



Figure 75: Bedroom at Level 1.



Figure 76: Bedroom at Level 1.

1 Morgan Street

The site of 1 Morgan Street is occupied by a two storey Inter-War red brick apartment building with a primary façade to Morgan Street. The Morgan Street façade is highly symmetrical with a central timber entrance, flat roof awning and brickwork arranged horizontally and vertically to create a border pattern around the windows. At ground floor level there are two double hung windows, one infilled with security mesh and in the other, a floral stained glass pattern is visible. To the first floor are two central arched double hung windows, featuring the same stained glass pattern, and two similar arched windows to either side. The two centre windows are separated by a central Corinthian style column, painted in the same cream colour as the window frames.

The Morgan Street entrance to the building consists of a central door flanked by two long rectangular windows. Above the door and windows are window transepts with a stained-glass pattern that details the name of the building "Arcadia Flats."

The roof form of the building is in a pyramid hipped shape and is clad in brown coloured tiles. Above the first floor windows, centrally placed, is a tall decorative brick parapet with scalloped edges.

The following images provide an overview of the current configuration and condition of 66-74 King Street and 1 Morgan Street.



Figure 77: Views looking west (left) and north west (right) towards the Newcomen and King Street facades of 66 King Street.



Figure 78: Views looking east and north west towards the Morgan Street (left) and King Street (right) facades of 74 King street.



Figure 79: View looking east towards 1 Morgan Street and 74 King Street (left). The image on the right is a view looking south east towards the apartment building located at 1 Morgan Street.



Figure 80: Detailed view of the front entrance to "Arcadia Flats" located at 1 Morgan Street. Note the stained glass detailing in the windows and main entrance transepts.

Interior



Figure 81: Internal view of a room in 1 Morgan Street

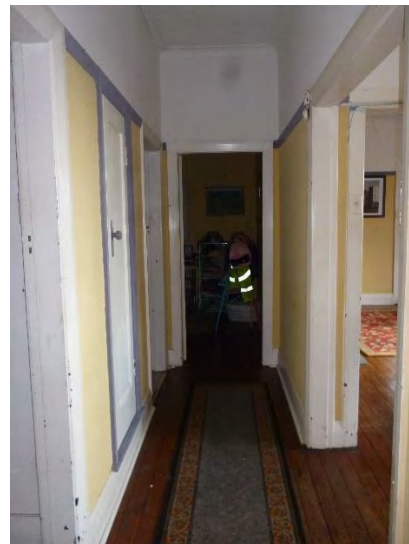


Figure 82: The main corridor in 1 Morgan Street



Figure 83: Internal view of a room in 1 Morgan Street



Figure 84: Internal view of a room in 1 Morgan Street



Figure 85: Internal view of a room in 1 Morgan Street

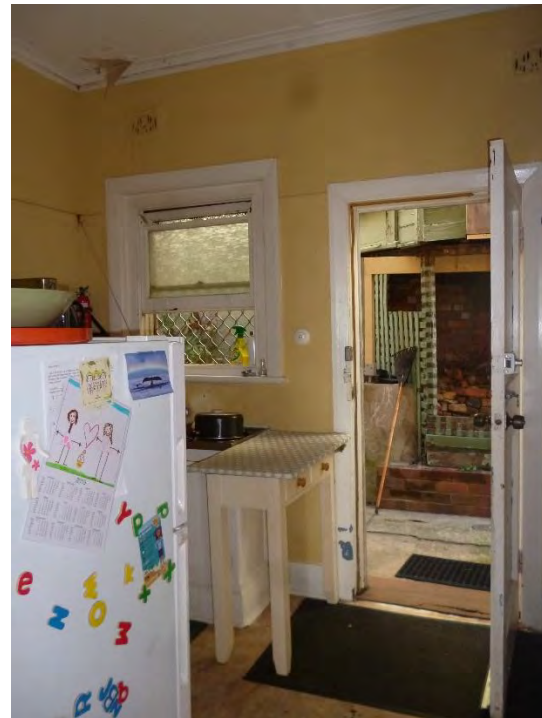


Figure 86: Kitchen and rear exit of a unit in 1 Morgan Street

4. VIEWS AND VISTAS

As the study area consists of four city blocks and various buildings, the following views and vistas explore the site in general in addition to the various blocks which will also be explored separately.

4.1.1. Views to the NEE precinct

The four city blocks that comprise the Newcastle East End project site are primarily located on Hunter and King Streets and are located directly within the city centre of Newcastle. As such, the surrounding environment is predominately built up and views to the site are limited to street views within close proximity to the site (although some views may be possible from taller buildings located at a distance e.g. Council). In addition, the topography of the site, which slopes downwards towards Hunter Street, has meant that visual access to some buildings is partially obscured and limited. The buildings within the study area are also on a similar scale and sometimes smaller than the surrounding buildings, making long distance views from the ground unlikely. The close proximity of the buildings and the street blocks also contributes to this and as such, some views often only provide partial visual access to the sites (e.g. corner Hunter Street views mainly only show the Hunter Street facades).

The principal views to the site, as a whole, include the following:

1. Views from Hunter Street;
2. Views from King Street;
3. Views from Newcomen Street;
4. Views from Perkins Street;
5. Views from Christ Church Cathedral site;
6. Views from Wolfe Street;
7. Views from Thorn Street.

The following aerial view and photographs of the site demonstrate the site's physical and visual setting that should be maintained and preserved for the appreciation of the site's identified heritage significance.



Figure 87: Aerial view of the study area showing the main views and vistas including 1) views from Hunter Street, 2) views from King Street, 3) views from Newcomen Street, 4) views from Perkins Street, 5) views from the Christ Church Cathedral site, views along Wolfe and Thorn Street each direction, 6 and 7. (Source: SIX Maps accessed 29 March 2017 via <https://maps.six.nsw.gov.au/>)

It should also be noted that glimpses of the site are possible from Scott Street and a walkway connecting Hunter Street with the Newcastle Ferry Terminal, however, they are considered secondary and do not provide significant visual access to the study area.

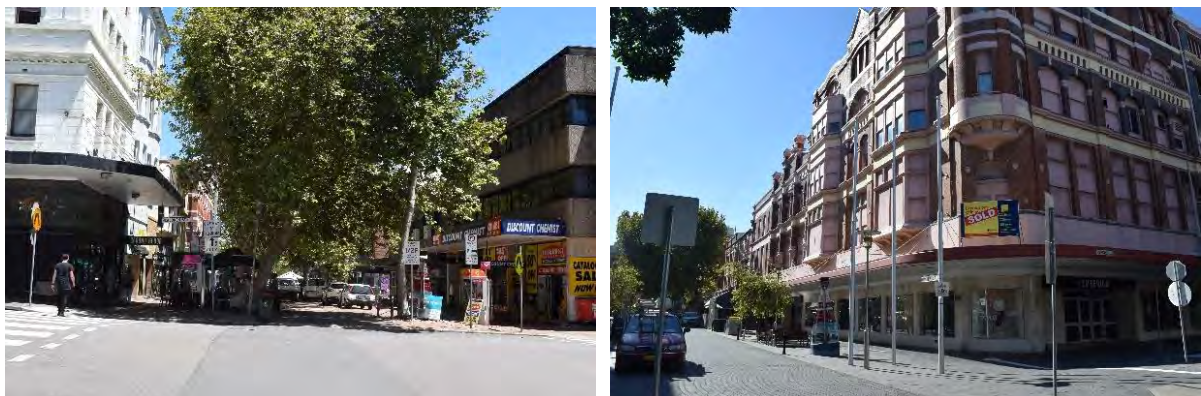


Figure 88: View 1, from Hunter Street looking west from the corner of Hunter Newcomen Streets (left) and east from the corner of Hunter and Perkins Streets (right).



Figure 89: View 2, from King Street looking east from the corner of King and Newcomen Streets (left) and west from the corner of Wolfe and King Streets (right).



Figure 90: View 3, from Newcomen Street looking south west from the corner of Newcomen and Hunter Streets (left) and looking north west from the corner of Newcomen and King Streets (right).



Figure 91: View 4, from Perkins Street looking south with Block B buildings visible on the left.



Figure 92: View 5, from Christ Church Cathedral as taken from King Street level.

Views to Block 3

The buildings located in Block 3 are partially obscured from view from King street due to the location of the Council carpark to the rear, however, views around the western, eastern and northern elevations of the Block 3 can be gained from within the surrounding streets. In addition, a view to the site from the ferry walkway extending from Hunter Street allows for visual access to Block 3 from Scott Street. The rear of the Block 3 can also be seen from within the rear driveway in Block 4.

The topography of Block 3 slightly differs to the other Blocks within the study area as it does not extend to King Street to the south. Therefore, Block 3 has a relatively level topography which has impacted on the views possible to the buildings.

The primary view to Block 3 includes the following:

1. views from Hunter Street;
2. views from Thorn Street;
3. views from Morgan Street;
4. view from Morgan Street to the rear of Block 4;
5. view from Scott Street through the Hunter Street ferry overpass;
6. views from Laing Street.

The following aerial view and photographs of Block 3 indicates the physical and visual setting that should be maintained and preserved for the appreciation of the site's exceptional heritage significance.



Figure 93: Aerial view of Block 3 showing the main views and vistas including 1) views from Hunter Street, 2) views from Thorn Street, 3) views from Morgan Street, 4) view from Morgan Street to the rear of Block 4, 5) view from Scott Street through the Hunter Street ferry overpass., 6) views from Laing Street. (Source: SIX Maps accessed 29 March 2017 via <https://maps.six.nsw.gov.au/>)

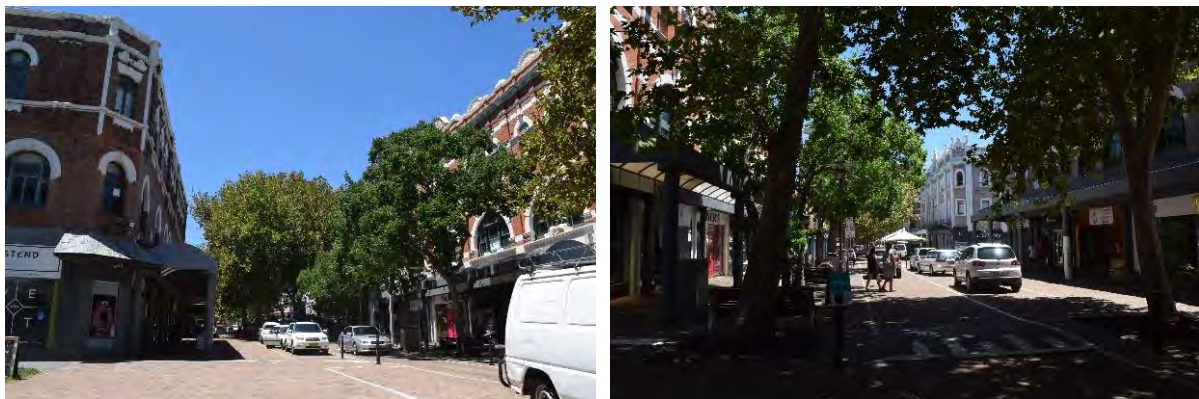


Figure 94: View 1, looking east (left) and west (right) from Hunter Street.



Figure 95: View 2 and 4, looking north along Thorn Street (left) and looking north from Morgan Street to the rear of Block 4 (right).



Figure 96: View 3, looking north (left) and south (right) along Morgan Street.



Figure 97: Views 5 and 6, looking south west towards Block 3 from the Hunter Street Ferry access route (left) and looking north west along Laing Street (right).

Views to Block 4

Block 4 is the easternmost block within the Newcastle East End study area and as with the other blocks, main views to the buildings can primarily be gained from within the immediate surrounding streets.

The primary views to Block 4 include the following:

1. views from Hunter Street;
2. views from King Street;

3. views from Morgan Street;
4. views from Newcomen Street;
5. views from Christ Church Cathedral;
6. views from Laing Street.

The following aerial view and photographs of Block 4 indicates the physical and visual setting that should be maintained and preserved for the appreciation of the site's exceptional heritage significance.



Figure 98: Aerial view of Block 4 showing the main views and vistas including 1) views from Hunter Street, 2) views from King Street, 3) views from Morgan Street, 4) views from Newcomen Street, 5) views from Christ Church Cathedral, 6) views from Laing Street. (Source: SIX Maps accessed 29 March 2017 via <https://maps.six.nsw.gov.au/>)



Figure 99: Views 1 and 2, of Hunter Street looking west from Newcomen Street with Block 4 visible to the left (left) and looking west from the corner of Newcomen and King Streets (right).



Figure 100: View 3, looking north (left) and south (right) along Morgan Street.



Figure 101: View 4, looking south west from the corner of Hunter and Newcomen Streets (left) and looking north west from the corner of Newcomen and King Streets (right).



Figure 102: View 5 and 6, looking north west towards Block 4 from Christ Cathedral (left) and looking east from Laing Street (right). (Source: Google Street View, June 2015, accessed 30 March 2017 via <https://www.google.com.au/maps/@-32.9281116,151.7810727,3a,75y,48.81h,89.64t/data=!3m6!1e1!3m4!1sIM5X9KifKyfv7JiXIH4e7w!2e0!7i13312!8i6656!6m1!1e1>)

4.1.2. Views from Blocks 3 and 4

Again, as with views to the site, views from the site are limited by the surrounding built environment and the proximity of buildings and streets within the immediate vicinity. Notwithstanding, the site does offer views to surrounding areas, particularly from directly within the street and given that the topography of the site slopes down to the north towards Hunter Street.

The buildings located within Block 3 and generally along Hunter Street are located at the lowest topographical point within the study area and therefore have limited views looking north, northeast and northwest. From within the upper levels of some of the buildings located in Hunter Street, views can be gained to the waterfront and other buildings.

The main views from the site include the following:

1. Views looking south, southeast and southwest towards Christ Church Cathedral and other buildings to the south;
2. Views looking north, northeast and northwest towards buildings within Hunter Street, Newcomen Street and Perkins Street;
3. Views from Block 4 looking north towards the water and buildings to the north;
4. Views from Block 3 buildings towards Scott Street, the railway line and the waterfront.

The following aerial view and photographs provides an indication of the main views from Blocks 3 and 4.



Figure 103: Aerial view of the study area showing the main views and vistas including 1) views looking south, south east and south west towards Christ Church Cathedral and other buildings to the south, 2) views looking outwards from the former David Jones building towards the city, waterfront and adjoining buildings, 3) views looking north, north east and north west towards buildings within Hunter Street, Newcomen Street and Perkins Street, 4) views from Block 4 looking north towards the water and

buildings, 5) views from Block 3 buildings towards Scott Street, the railway line and the waterfront. (Source: SIX Maps accessed 29 March 2017 via <https://maps.six.nsw.gov.au/>)

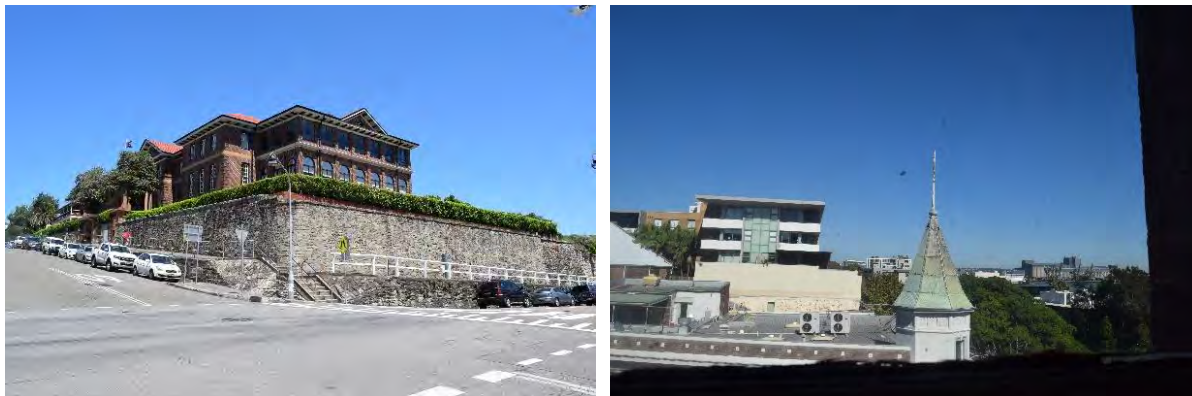


Figure 104: View 1, looking south west towards Christ Church Cathedral (left) and view from the top floor of the former David Jones building looking north west towards the city, waterfront and neighbouring buildings (right).

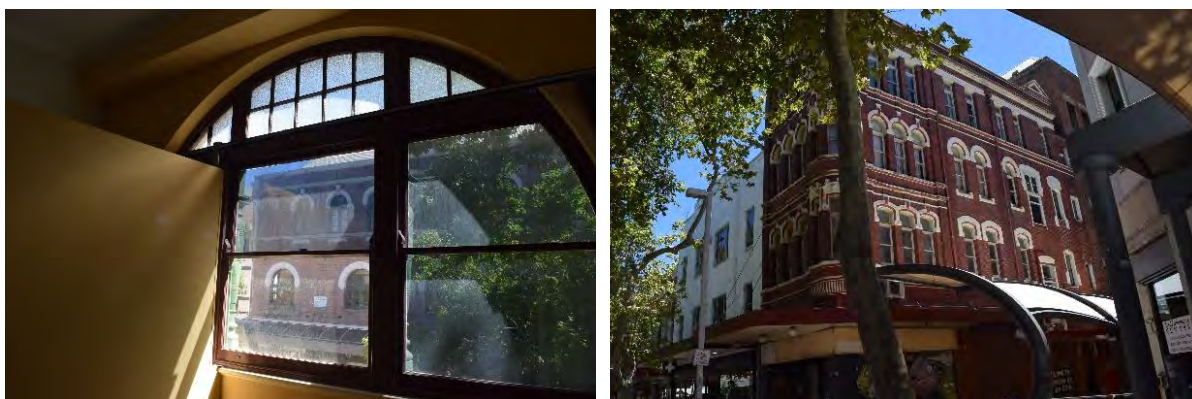


Figure 105: View 2, looking north west from within the first floor of the former municipal building in Block 3 (left) and view looking north west towards buildings opposite Block 3 in Hunter Street (right).



Figure 106: Views 3 and 4, looking north from Block 4 towards buildings to the north and the waterfront (left) and view from Block 3 looking north towards Scott Street, the railway line and waterfront (right).

5. HISTORY

5.1. Indigenous Occupation of Newcastle⁸

The local Aboriginal tribe of Newcastle were the Awabakal whose territory included Newcastle, Lake Macquarie, Central Coast and Wyong⁹. Awabakal territory was bordered by three different tribal groups including the Kattang to the north, the Wonnarua/ Hunter River tribe (inland) and the Darkinjung located to the south. The following quote by Dr Neil Gunson, a prominent researcher of the Awabakal, provides insight into the territory and class system of the Awabakal¹⁰:

Like the other tribes the Awabakal had carefully defined boundaries, its peculiar cicatrisation marks and its local ritual. In certain broad features it had much in common with the other coastal tribes stretching south from Moreton Bay to Andersons Inlet in Victoria, tribes separated from those of the interior by the natural barrier of mountain ranges. Howitt and other pioneer anthropologists suggested that the coastal tribes either had an anomalous class system or were without a class system, and observed male descent. There was also considerable similarity in the material culture of the coastal tribes; bark huts were generally more substantial than those inland and fishing and trading took on similar characteristics.

The Department of NSW Education identifies Aboriginal tribal boundaries as also being determined by landscape features specific to each region¹¹:

...most tribal boundaries in the Hunter region were defined by a waterway or mountain. This ensured little error to recognise where the area of one tribe ended and another began. Travelling ridges on mountain boundaries were recognised as neutral; the break occurred with descent into other territory. Coastal tribes with the eastern shoreline were considered fortunate ones, but in special circumstances this boundary could be shared. For most of the NSW seaboard coastal tribes allowed inland people to make at least yearly visits to the coast for fishing and to get salt. One special occasion would be the stranding of whales on a beach. All Aborigines within a reasonable travelling distance would be invited to this feast lasting several days. One such visit is depicted by a painting at Wollombi, when the Awabakal invited the Wonnarua and Darkinjung people to partake of whale flesh high and dry at Redhead beach.

⁸ The following history of the Aboriginal occupation of the Newcastle areas has been largely compiled from LK Dyal, *Aboriginal Occupation of the Newcastle Coastline*, Hunter Natural History, Vol.4 No.3, 1971, p.p. 168-172 and *Whose Traditional Land?* By John Maynard for the University of Newcastle, undated.

⁹ Note: the Worimi tribe is identified on the City of Newcastle Council as being another tribe specific to the area, however, this is in relation to the LGA generally and not the city of Newcastle specifically

¹⁰ Quote extracted from Maynard, John, *Whose Traditional Land?*, University of Newcastle, p.16

¹¹ Department of Education, *Aborigines of the Hunter Region*, Hunter Social Studies Association, Ministry for Aboriginal Affairs, NSW, 1985, p.62

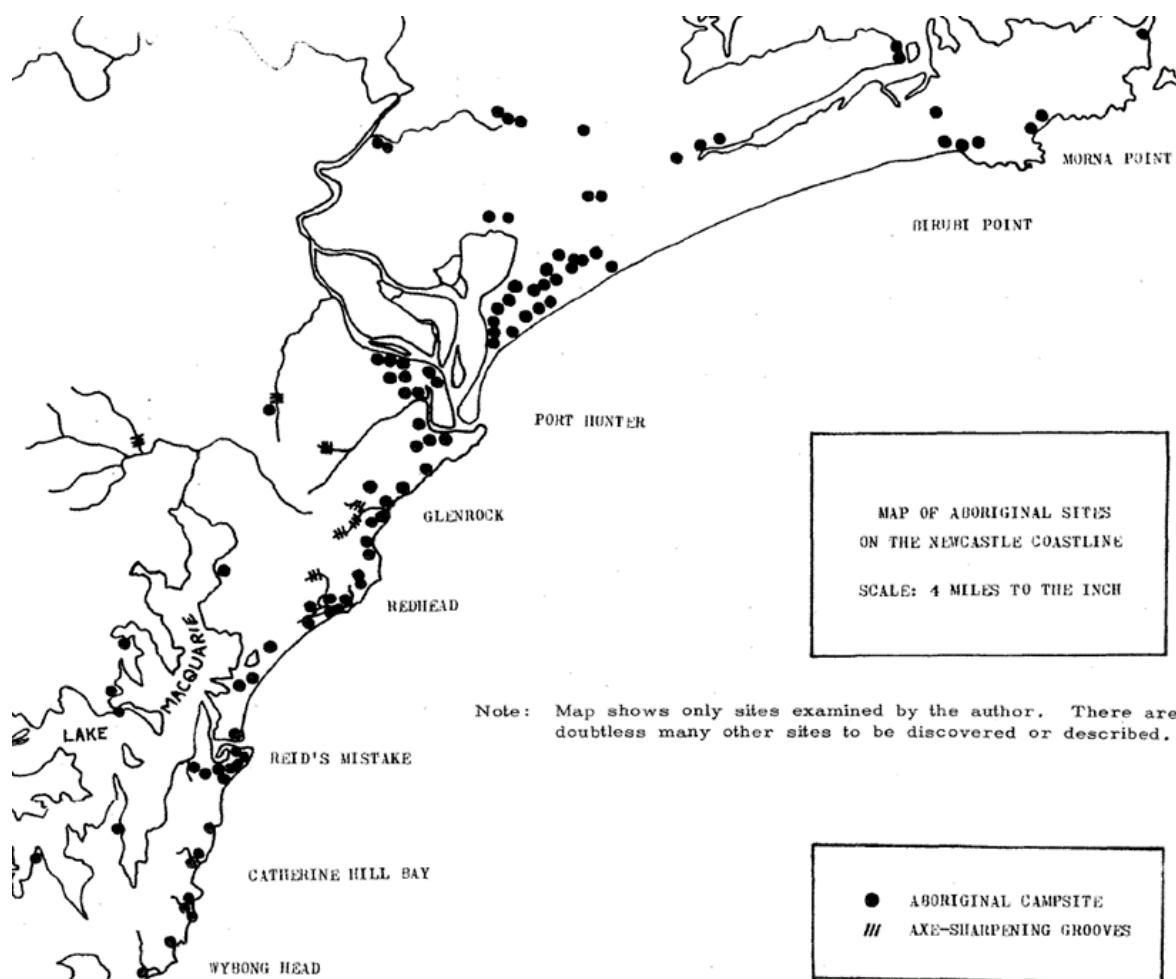


Figure 107: Map from 1971 showing various Aboriginal campsites along the Newcastle coast. (Source: *Aboriginal Occupation of the Newcastle Coastline* by LK Dyll 1971, p.15).

The Awabakal tribe were hunters and gatherers who would keep moving in order to prevent exhausting their supplies, camping at various sites for days and sometimes weeks. Most of these campsites were located near the ocean, estuarine or Lake Macquarie (Figure 67) where shellfish were plentiful. Some of the foods they would extract from these waterways included pipis, turban, winkles, rock oysters and welks. As a coastal tribe, the Awabakal were dependent on the water for the supply of fish, shellfish and waterfowl. Other foods eaten by the Awabakal include bird eggs, wild figs, honey, cabbage palms, bracken fern roots and the fruit of the *Macrozamia* (which can be lethal if not cooked properly).

It is also believed the Awabakal farmed kangaroos and would do so by burning scrublands in the winter. The grass would eventually grow back and attract kangaroos and wallabies thereby making it easier to hunt and stalk them. This practice resulted in various areas of cleared land which appeared to white settlers as "open parklands."

Ritual centres of the Awabakal are generally unknown, however, it is believed that there were some corroboree grounds at Wickham, Belmont and on the hilltops of Lake Macquarie.

The rapid decline of the Awabakal tribe after the arrival of white settlement is considered to have been predominately caused by the introduction of diseases such as smallpox and influenza. There was also a bad drought in the 1830s which is considered to have also significantly impacted on the Awabakal people. While it is believed that several thousand lived in the area prior to white settlement, in 1828 Reverend Threlkeld (well-known resident of the Newcastle area and researcher of Aboriginal culture) identified only 64 living in the area. Thelkeld had made a considerable effort to translate the bible into

the local Awabakal tongue but was devastated to find the tribe had so significantly diminished, remarking at the time that his efforts were in vain.



Figure 108: Profile image of Margaret White (ca.1827-1897) who, along with her husband Ned, their children and Ned's blind mother, were considered the last of the traditional Awabakal. Contemporary research refutes this claim and many of their descendant are alive

5.2. Early European Land Use and the Development of Newcastle

Newcastle is Australia's second oldest city having first been discovered by Europeans in 1797, largely by accident when Lieutenant John Shortland was sent in search of escaped convicts. During his travels, Shortland entered the estuary of the Hunter River and made note of the 'very fine coal river.'¹² It was later named the 'Hunter' after NSW Governor, John Hunter¹³.

In 1801, 13 years after Captain Cook sailed into Botany Bay, Governor King authorised for a group of convicts and soldiers to settle in Newcastle where they would be employed in coal mining (they also worked as woodcutters and lime-burners). This initial settlement was short lived and closed in 1802 only to be established again in 1804¹⁴. The site was initially named Kingston after the then Governor King and was later named Newcastle to reflect England's famous coal port Newcastle-upon-Tyne. Initially it was intended to accommodate the Irish convicts who had staged an uprising at Castle Hill¹⁵. Due to its isolation from Sydney, Newcastle was seen as a perfect location for a penal settlement.

By 1820 it had been decided by Governor Macquarie that Newcastle was no longer suitable as a penal settlement and in 1823 the convicts were removed to Port Macquarie by Governor Brisbane. Newcastle was proclaimed a free settlement in the same year¹⁶.

¹² Newcastle Urban Renewal Strategy, Department of Planning and Infrastructure, Newcastle City Council, 2013, p.30

¹³ The University of Newcastle website, "Newcastle's History", <http://www.newcastle.edu.au/about-uon/our-environments/our-campus-and-locations/newcastle/living-in-newcastle/newcastles-history>

¹⁴ NSW Government State Records, 'Newcastle Penal Establishment', <http://search.records.nsw.gov.au/agencies/2111>

¹⁵ Ibid

¹⁶ Ibid

Following the removal of convicts in 1823, Newcastle began to flourish with many settlers moving to the surrounding hinterland for agricultural purposes. In 1823 Henry Dangar marked out a layout for the town based on a grid pattern with several intersecting streets based around a central Market Place and a Church site (Figure 69). The layout seen in the 1823 plan does not directly reflect the existing layout of the city street blocks of Newcastle and was modified numerous times over the subsequent years. For example, Thorn and Morgan streets (located within the Precinct) were not designated as reserved roads until 1887 and were originally part of the overall market reserve identified in Dangar's plan.

One of the first roads to develop within the new colony was Hunter Street, which was originally an inefficient dirt track surrounded by sand, scrub and bordered by the water to the north. The street was originally called Wellington Street, most likely in honour of the Duke of Wellington for his involvement in the Battle of Waterloo (June 1815). In 1823 the street was renamed and became Hunter Street following Henry Dangar's survey of Newcastle and the Hunter Valley. Hunter Street did not extend as far as it does today, but rather, only extended as far as Perkins Street. There were several other issues associated with Hunter Street including its proximity to the water which meant that it frequently flooded. This became an issue as people started to construct buildings along the street and many buildings had to be built on stilts or pillars to avoid flooding. During these early formative years, Hunter Street was much lower than it is today. Several attempts were made to realign the street and many of the early shops were lowered and infilled to bring them to street level. One example of the issues experienced includes the following:¹⁷

...one butcher shop near the corner of Hunter and Perkin Streets got lower and lower as the street got higher and higher. In the end less than two metres of the shop front was showing above Hunter Street. The butcher installed steps to allow his customers to descend to the shop and he displayed his meat at pavement level and employed a young boy to keep the bush flies away from the carcasses.

By the 1850s the Rouse Hotel had been constructed on the corner where the current former David Jones building is located. At the time, it was considered to be "in the bush," the town having only slowly developed around it¹⁸.

The following history titled "When Hunter Street was a Sand Bed" appeared in the Newcastle Sun on Monday 31 October 1938 and provides an interesting commentary on the early history of the area¹⁹:

In 1857 Hunter-street was nothing but a bed of sand (writes Mr. W. J. Gould on the reminiscences of the late Mr. Colin Christie) and the chief traffic was bullock teams. The teams pulled up at the Court House (now the Post Office) and in the vicinity of the old Ship Inn and the Criterion Hotel there was a tongue-shaped mound of sand several feet high, with grass growing on top.

An abandoned public house stood 30 feet back from the roadway, and it was here the bullock drays turned part of the old building was occupied by Ash and Norsworth. and another portion was occupied by Mr. Campbell, a bootmaker.

The Woolpack Inn stood on the site of the Commercial Bank of Sydney 'the licensee being Mr. J. B. Hewson. ' The only other hotels at this end of the town were the Caledonian and Mrs. McGreavv's both in Watt-street. The Rouse Hotel in Hunter-street was considered to be out of town.

This hotel was kept by the father of the late Mr. Harry Rouse and a large poplar tree grew on the footpath in front of the hotel. The only other business of any consequence in the main street was a shop kept by Mrs. Langham on the site of D. Miller's grocery establishment of later years.

One of the most important businesses in Hunter-street was that kept by Mr. Spragg, who had an Ironmongers shop, attached to which was a barber shop. Spragg was the first hairdresser in Newcastle.

¹⁷ Barney, Norm, "Opinion: Story of a Sandhill," Newcastle, 19 July 2013, accessed 6 April 2017 via <http://www.theherald.com.au/story/1649797/opinion-story-of-a-sandhill/>

¹⁸ Ibid

¹⁹ "When Hunter Street Was a Sand Bed," The Newcastle Sun, Monday 31 October 1938, p.6, accessed 5 April 2017 via <http://trove.nla.gov.au/newspaper/article/167300309?searchTerm=Newcastle%20Inn%20Hunter%20Street&searchLimits>

Commencing at the most easterly point of Newcastle was the gaol which had a larger population than that outside the walls. McCormack's shop in Bolton Street, the site of Dr. Eames's surgery in later years, was another Important business place and McCormack-avenue was named after the owner. Darby-street was named after Mr. Darby, a surveyor with whom Mr. Christie was employed, for a brief time as chain boy.

The soldiers' barracks were situated on the site of the present hospital for in sane. In 1850 Mr. Christie's mother had a school in a building at the corner of Watt and Church streets. Here ex-Alderman Miller was taught his ABC. Prior to this, Mrs. Christie had her school at the corner of Newcomen and Church streets. Another school In Church-street was conducted by Mr. Flood. The Customs House was in the building later known as the London Hotel in Market Square, Mr. (after Major) Bolton being the sub-collector.

Captain Livingstone was the harbor master and the first Chamber of Commerce was in Watt-street The School of Arts was also in Watt-street over Dalby's boot shop. The stockade was in the Customs House yard. The first post office was also there. Mr. George Tully was the post master. The office was after removed to the building at the rear of the council chambers In Watt-street, Mr. Fergus being postmaster.

A fair amount of coal was won in the fifties. The 'F' pit was where the Sea Pit was later, and there was another pit on the Hill, and a third in Church-street.

The full wagons running down to the company's chutes hauled up the empty ones. In the middle of Church-street Mr. Bennett had a smithy's shop and it was here the miners' picks were sharpened.

Mr. Christie joined the volunteers in 1803 and was one of the earliest members. He went through all the drills and was afterwards taken into the band. There were no land grants to the volunteers at this time.

The late Mr. Christie had a vivid recollection of the first municipal elections In Newcastle In 1859. The aldermen elected were: James Hannell, A. A. P. Tighe, J. Corlette, C. Bolton, P. Fleming, M. Richardson, T. Adam, R. Turton and G. Tully. Mr. Hannell was the first mayor.

None Is alive to-day.

Early in the 'sixties Mr. Christie sought municipal honors and was returned for Honeysuckle Ward, and for many years he was the only surviving member of the first council he sat with. In later years Mr. Christie did good service, both as mayor and alderman.

In order to stabilise Hunter Street and the surrounding area, part of the harbour to the north was reclaimed²⁰. By the mid-1800s Newcastle was considered a major shipping and commercial centre²¹.

During the early 20th century Newcastle's industry shifted towards manufacturing and in 1915 the BHP steelworks (BHP Billiton) was established, turning Newcastle into a major centre for industry²². The city centre experienced a significant growth in commercial developments with Hunter Street developing as the retail centre of Newcastle²³.

In response to these changes and following the end of World War II, Newcastle experienced significant residential growth which resulted in the development of two large shopping centres in Charlestown and Kotara²⁴.

Some of the major industrial employers in the area, including the aforementioned BHP, were impacted by globalisation and as a result, withdrew from Newcastle²⁵. This in turn resulted in the freeing up of space within the city centre which was ripe for development. In the 1990s the Honeysuckle Development Corporation (today known as the Hunter Development Corporation) was created to organise the

²⁰ Barney, Norm, "Opinion: Story of a Sandhill," Newcastle, 19 July 2013, accessed 6 April 2017 via <http://www.theherald.com.au/story/1649797/opinion-story-of-a-sandhill/>

²¹ Newcastle Urban Renewal Strategy, Department of Planning and Infrastructure, Newcastle City Council, 2013, p.30

²² Newcastle Urban Renewal Strategy, Department of Planning and Infrastructure, Newcastle City Council, 2013, p.30

²³ Ibid

²⁴ Ibid

²⁵ Ibid

development of these redundant industrial sites and the former railway²⁶. As a result, much of this land, which was located along the waterfront, was developed into office spaces and high density housing²⁷.

In response to the urban growth and development of Newcastle, Hunter Street is no longer considered the primary retail centre of the city. The residential areas of the city centre have also expanded as a result of high density residential developments that have been created over the last several decades²⁸. In 2004 the city of Newcastle celebrated its 200th birthday²⁹.



Figure 109: Henry Dangar's plan from 1823 showing the original layout of Newcastle. (Source: Newcastle Region Local Studies Library, accessed 12 April 2017 via <http://www.newcastle.nsw.gov.au/Library/Heritage-History/Search-the-Collection>)



Figure 110: 1980s copy of a painting by Ferdinand Bauer showing the settlement of Newcastle c.1804. (Source: State Library of NSW, SV1B / Newc / 1800-1809 / 1)

²⁶ Ibid, p.31

²⁷ Ibid

²⁸ Ibid

²⁹ The University of Newcastle website, "Newcastle's History", <http://www.newcastle.edu.au/about-uon/our-environments/our-campuses-and-locations/newcastle/living-in-newcastle/newcastles-history>



Figure 111: Painting by John William Lewin showing the entrance of Coal River, Newcastle, with Nobbys Island visible in the background. Dated 1807. (Source: Newcastle Region Library, 345 000214)



Figure 112: Early town plan of Newcastle dating from c.1823 showing various sites including Pirate Point (Stockton), Coal Head (Fort Scratchley), the hospital, Blackland's Salt Works and various early streets such as Perkins, King, Wolfe and Brown Streets. (Source: University of Newcastle Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/8571926@N06/6913830639/>)



Figure 113: An early Newcastle map that appeared in the *Illustrated Sydney News* on 8 April 1875 showing various historic landmarks including the Borough Markets, located within the study area. (Source: University of Newcastle Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/uon/6913820773/in/photostream/>)

5.3. History of Blocks 3 & 4

5.4. Block 3

The development of Block 3 is directly related to the development of the Market Place and the Borough Markets, which were designated as Crown Land in Henry Dangar's 1823 plan (see Figure 69). Unlike Blocks 2 and 4, the site of Block 3 at the time had not been subdivided and allocated to various individuals, but rather, was designated purely for use as a Market Place. Originally the plan included a large market reserve that was later subdivided and reduced in size.

By 1869 the block had been subdivided and altered to include a smaller central space for the Newcastle Borough Market, which was surrounded by a series of smaller establishments predominately facing Hunter Street. These include H Simpson's Northumberland Hotel, J Hunter's Boot Shop, R Gibb's Newmarket Hotel, two Milliners and a Butcher. A few properties and establishments had developed to the rear including stable buildings, a Council owned property and the Blue Bell Hotel owned by C Nelson. These early buildings and residents can be seen in Figure 75 alongside the Borough Market building.

Apparently, Newcastle Council once planned to erect a town hall directly adjacent to the Borough Market building, to the west, however, these plans were never realised. At the time there was a street located directly opposite the markets, known as Market Street, which has since been turned into a pedestrian access only thoroughfare.

In 1916 the Borough Market building was demolished to make way for the development of the Strand Theatre, a billiard hall, shops and offices, that were later demolished in 1979 to make way for the redevelopment of the Market Square. The Market Square shopping centre was built on the site of the Strand Theatre in 1980 by Kern Corporation Ltd and was opened by NSW Premier Neville Wran. The works included the construction of a steel pedestrian bridge between the Hunter Street Mall and Queens Wharf to the north³⁰.

³⁰ Scanlon, Mike, "Change and the city of Newcastle," 8 January 2016 accessed 5 April 2017 via <http://www.theherald.com.au/story/3647883/city-of-great-change/>

The following images provide an overview of the early development of Block 3.

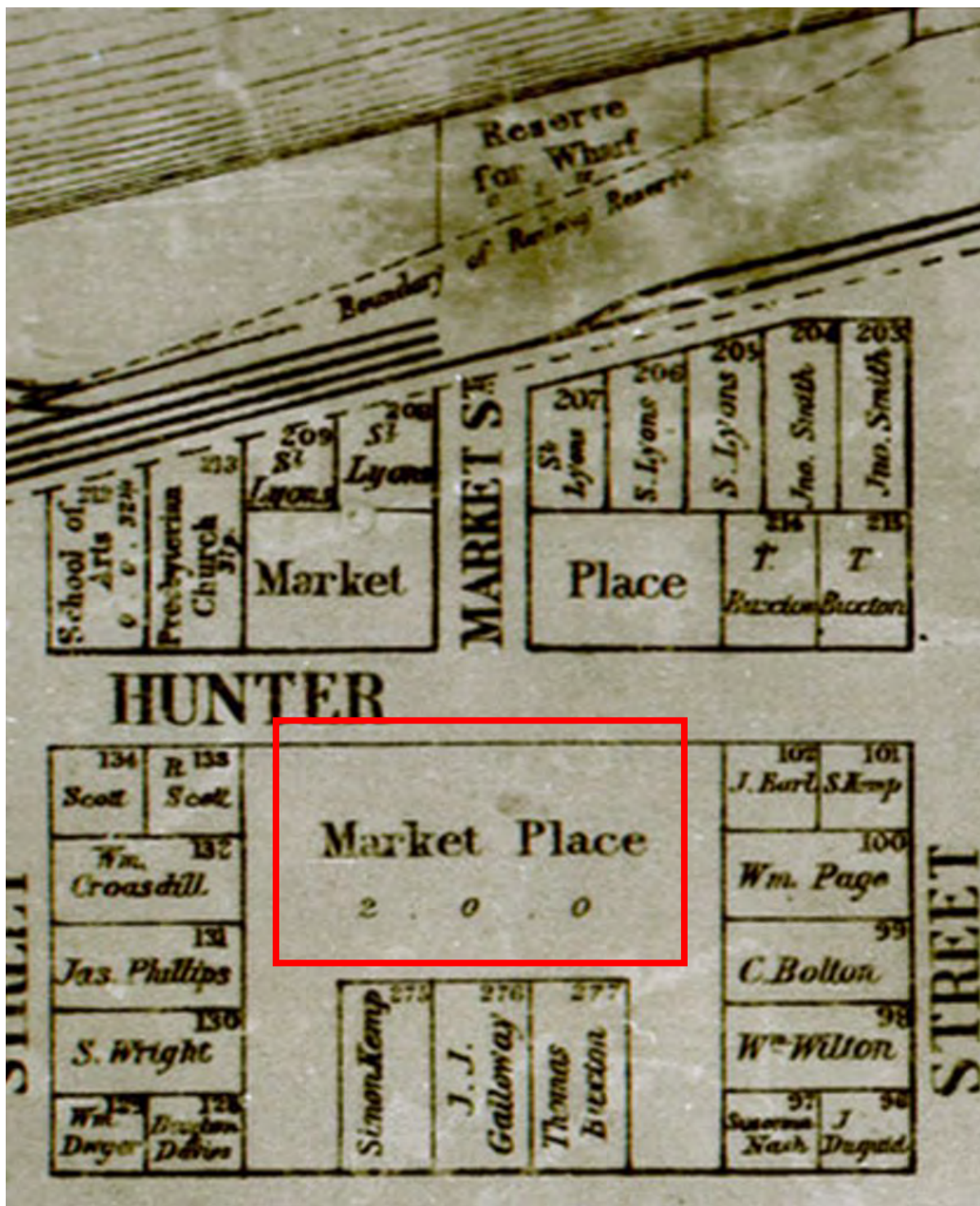


Figure 114: Excerpt from a map of Newcastle (n.d.) which shows Block 3 buildings as part of the original Market Place. (Source: University of Newcastle, Cultural Collections, part of Norm Barney photographic collection, accessed 9 March 2017 via <https://www.flickr.com/photos/uon/5779639226/>)

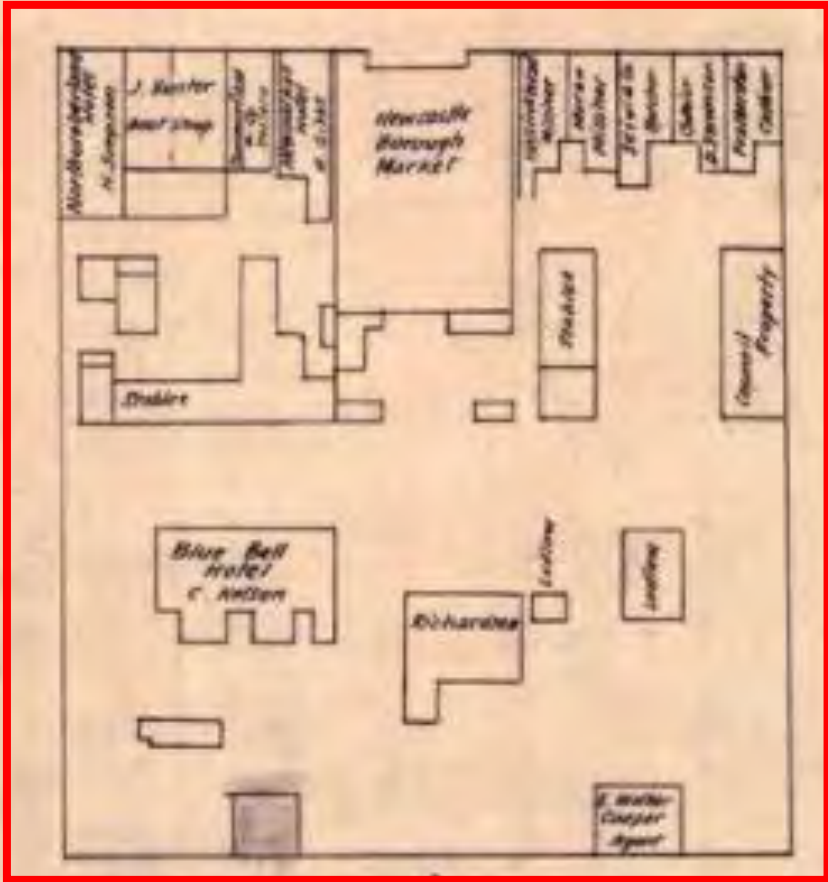


Figure 115: Excerpt from a plan of Newcastle dated 1886, completed CLN Mahlstedt and Gee Surveyors, showing Block 3 prior to subdivision and the creation of Laing Street. (Source: University of Newcastle Cultural Collections, M2039 Sheet 8, accessed 2 March 2017, via <https://www.flickr.com/photos/uon/sets/72157627126833932/>)



Figure 116: Photograph of the Borough Market building dating from c.1887, photograph taken by Ralph Snowball who had a studio in the building. (Source: University of Newcastle Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/un/3964536525/in/photostream/>)

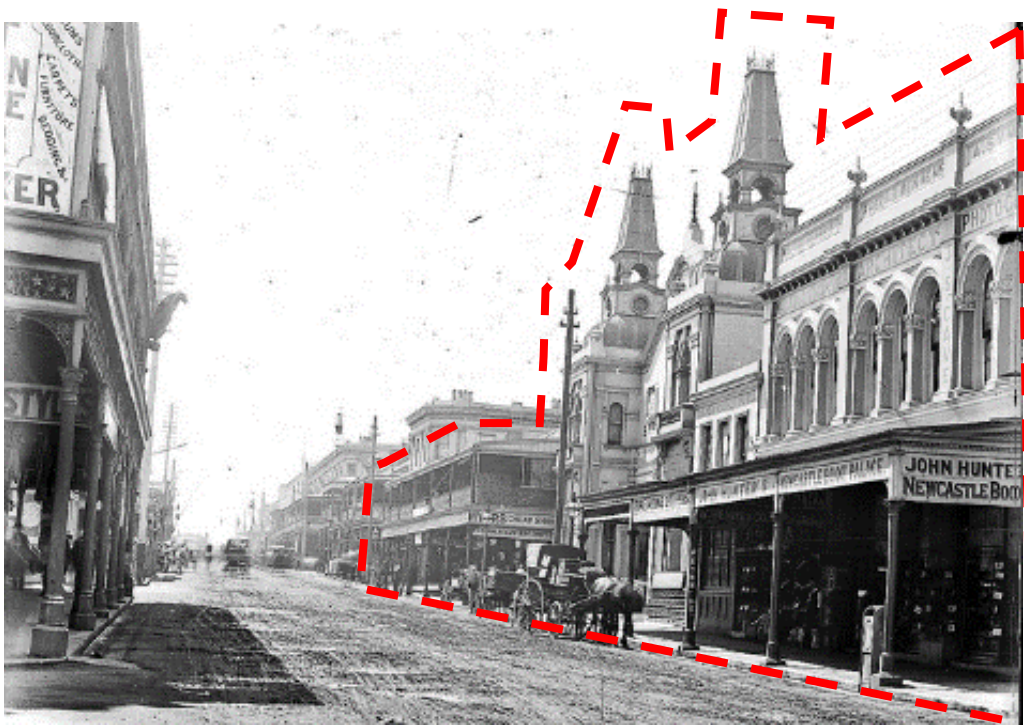


Figure 117: View looking east along Hunter Street on 21 January 1891 with Block 3 visible to the right and outlined in red. Note the Borough Market building and surrounding buildings that were demolished prior to construction of the existing buildings. (Source: University of Newcastle Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/8571926@N06/4861819693>)

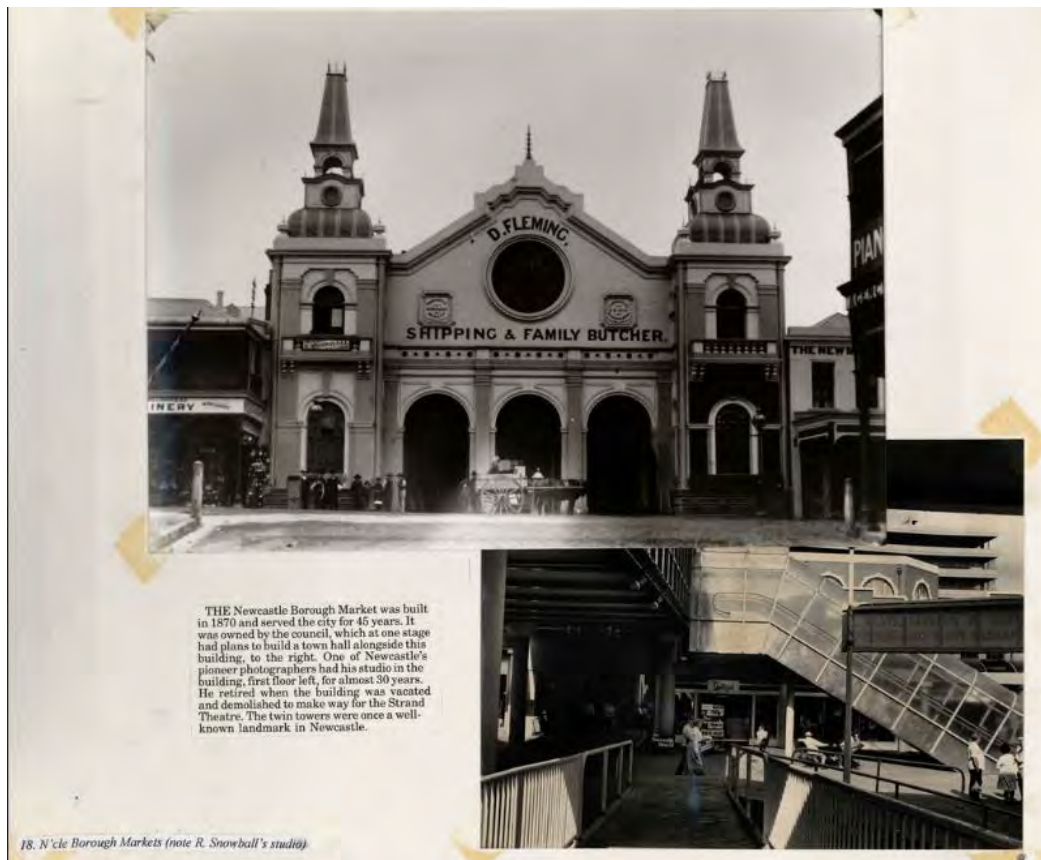


Figure 118: Comparative views showing the Borough Market building and the entrance to the Market Square in 1992. (Source: University of Newcastle Cultural Collections, M4864-Panel 18, accessed 5 April 2017 via <https://www.flickr.com/photos/8571926@N06/6067404593>)



Figure 119: Undated photograph looking south towards the original Strand Theatre building (right) and a photograph from 1972 of the later Strand Theatre, a few years before its demolition. ((Source: Newcastle Region Library, registration no.'s 045 000024 and 047 000042, accessed 5 April 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25720&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2FQuery.php> and <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25968&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)

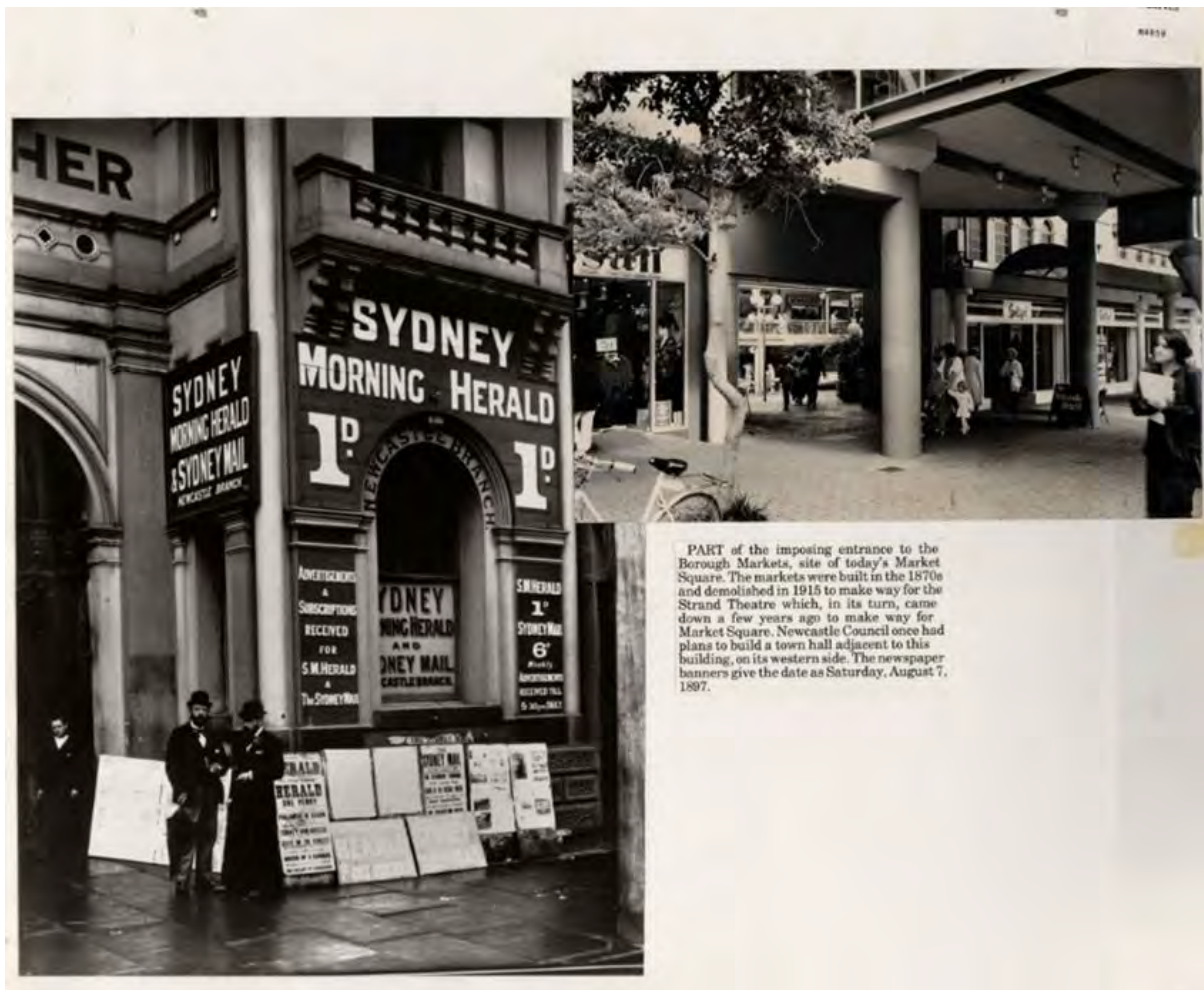


Figure 120: Another comparative view showing an entrance to the Borough Market building in 1897 and the 1992 Market Square entrance. (Source: University of Newcastle Cultural Collections, M4858, panel 12, accessed 5 April 2017 via <https://www.flickr.com/photos/8571926@N06/6067838966>)



Figure 121: Views looking south towards the Strand Theatre in 1972 (left) and 1973 (right). The former Municipal building can be seen to the left. (Source: University of Newcastle Cultural Collections, registration no.'s 047 000073 and 104 008194, accessed 5 April 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25999&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2FQuery.php> and <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=61746&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2FQuery.php>)



Figure 122: Photograph from 1979 showing the Thorn and Hunter Streets building, the Strand Theatre and the former Municipal building prior to demolition works. (Source: Newcastle Region Library, registration no. 103 000277, accessed 5 April 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=29366&QueryPage=%2Fkeemu%2Fpages%2Fnm%2FQuery.php>)



Figure 123: Photograph of Block 3 following demolition of the Strand Theatre and other buildings located on Block 3. The carpark to the rear is the current Council carpark located along King Street and in the distance Christ Cathedral can be seen. The former Municipal Building can also be seen to the left. (Source: Scanlon, Mike, "Change and the city of Newcastle," 8 January 2016 accessed 5 April 2017 via <http://www.theherald.com.au/story/3647883/city-of-great-change/>)

5.4.1. 113-121 Hunter Street

Prior to the development of this building and as identified in Section 5.4, the site was occupied by a two-storey commercial building, which can be seen in Figure 75. The building was located alongside the Borough Market building and was later demolished to make way for the existing Municipal Building.

During the late 19th century the Newcastle Borough Council was responsible for the construction of a number of buildings on their land, which were made available for lease. As a result, a number of Municipal buildings were constructed at the time and tenanted by various local merchants and shop owners, including 113-121 Hunter Street. Originally designed by Thomas W. Silk in the Federation Free style in 1908, this Municipal building was one of the last buildings erected by the Newcastle Borough Council in an attempt to revitalise the retail hub of the city³¹. The construction of the Municipal building was plagued by issues with Silk coming into conflict with Mr E.H. Banks, the contractor employed in the construction of the building. Silk would not authorise final payments for the contractor as Banks insisted on overtime deductions³².

Thomas Silk came to Sydney in the 1890s, and was one of the first Australian born architects with training to work in the Hunter region. Trained at the Sydney firm of Green and Green during the building boom of the 1870s, he saw many Victorian buildings designed and built during this period³³. He was engaged in a partnership with John Pender until 1905³⁴. With Pender, the two designed the Imperial Hotel, at the corner of Beardy and Faulkner Streets, Armidale c.1890 as well as Enrights Chambers at 467 High Street, Maitland. Stylistically, Silk tended to design semi-circular arches rendered flush with brick facades, continuing as a broad band to give the façade a unified character. The edges of openings were often rounded, with many featuring an Art Nouveau motif³⁵.

As part of the 1980 Market Square shopping centre development, the building underwent alterations and additions that included the construction of connecting structures and the overpass along the western elevation. The upper levels of the building have also been recently modified and have retained very little original detail, having been converted into office and studio spaces.

The following timeline details the historical development of 113-121 Hunter Street.

Date	Event
c.1886	The site is occupied by a two-storey commercial building and is located alongside the Borough Markets
1908	Built by T.W Silk in the Federation Free Style as one of the last buildings erected by the Newcastle Borough Council in an attempt to revitalise the retail hub of the city
1980	The building is adapted in association with the Market Square shopping development and the overpass and other structures are constructed along the western elevation

³¹ "Newcastle by Design," Newcastle City Council website, p.1, accessed 8 March 2017 via http://121.50.208.46/newcastle/Newcastle_by_Design.pdf

³² L. Reedman, 'Early architects of the Hunter Region. A Hundred Years to 1940,' 2008, p.134 (p.146 of pdf). Accessed 8 March 2017, from

<https://downloads.newcastle.edu.au/library/cultural%20collections/pdf/reedman2008.pdf>

³³ L. Reedman, 'Early architects of the Hunter Region. A Hundred Years to 1940,' 'Thomas Wilfred Silk,' 2008, p.131 (p.143 of pdf). Accessed 8 March 2017, from

<https://downloads.newcastle.edu.au/library/cultural%20collections/pdf/reedman2008.pdf>

³⁴ L. Reedman, 'Early architects of the Hunter Region. A Hundred Years to 1940,' 2008, p.59 (p.71 of pdf). Accessed 8 March 2017, from <https://downloads.newcastle.edu.au/library/cultural%20collections/pdf/reedman2008.pdf>

³⁵ *ibid*, p. 132.



Figure 124: Photograph of the ground and first floor of the Municipal Building in 1938. At the time the ground floor commercial space was occupied by Hunter the Stationer Ltd. (Source: Newcastle University Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/uon/8641077883/>)



Figure 125: View looking east in 1972 with the subject sites (Block 3, Municipal Building 1908) circled in red. (Source: Newcastle Region Library, registration no. 047 000009, accessed 20 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25935&QueryPage=%2Fkeemu%2Fpages%2Fnm%2Findex.htm>) <https://newcastle-collections.ncc.nsw.gov.au/library?page=search#view=details&id=7fda&terms=%5B%22and%22%2C%5B%5B%22keywords%22%2C%22newcastle%20hunter%20street%20mall%22%5D%2C%5B%22department%22%2C%22Library%22%5D%2C%5B%22type%22%2C%22Story%22%2C%22%3C%3E%22%5D%5D%5D&offset=1>

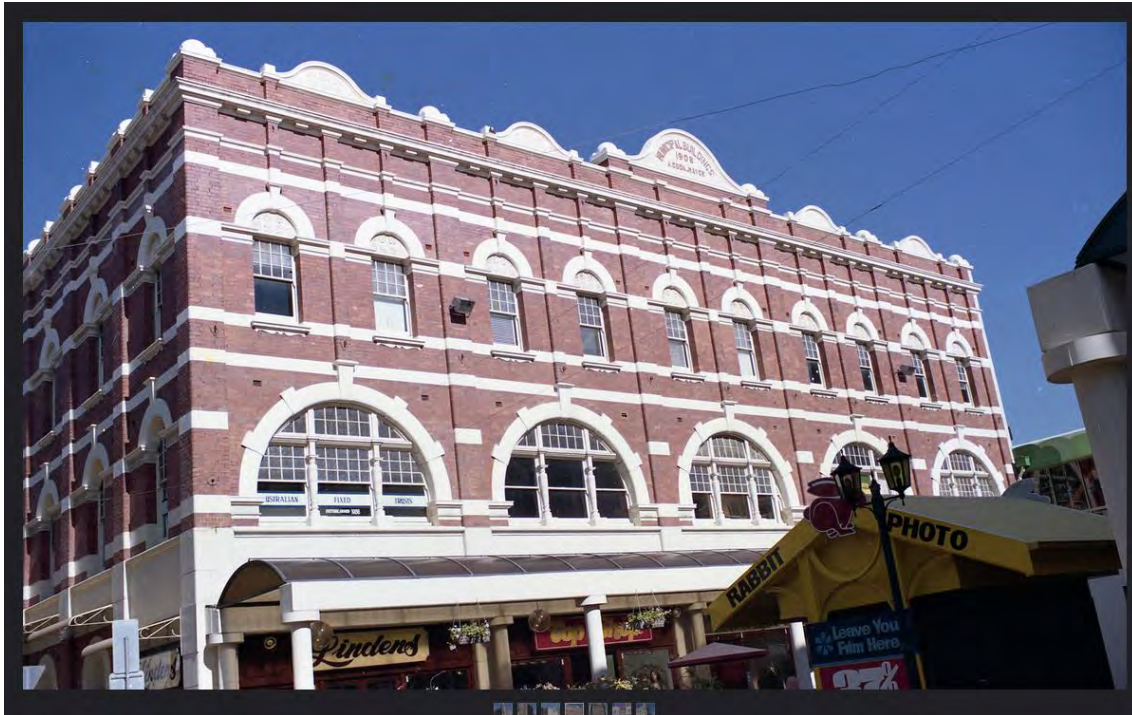


Figure 126: Municipal building built in 1908. Photo taken in May 1986. Operating shops include Lindens, Top Shop and Rabbit Photo. (Source: Coalfields Heritage Group, taken by late Percy Sternbeck, accessed 9 March 2017 via <https://www.flickr.com/photos/coalfieldsheritagegroup/12146347676>)



Figure 127: Municipal Building, designed by T.W. Silk in 1908. Shows the pediment of the building. (Source: The Newcastle Herald, accessed 16 March 2017 via <http://www.theherald.com.au/story/4499372/chaotic-meeting-after-a-mystery-resignation/#slide=2>).



Figure 128: Municipal Building, built in 1908 for the Newcastle Borough Council. (Source: L. Reedman, 'Early architects of the Hunter Region. A Hundred Years to 1940,' 2008, p. 146, accessed 8 March 2017 via <https://downloads.newcastle.edu.au/library/cultural%20collections/pdf/reedman2008.pdf>)

5.4.2. 123-141 Hunter Street

As mentioned above in Section 5.4, 123-141 Hunter Street was formerly part of the Market Place allotment that was later developed to include the Borough Market building. As with 113-121 Hunter Street, the site was partially occupied by the Borough Market building and a smaller two store commercial building (Figure 89). The Strand Theatre in 1916 and another mid-20th century building were constructed on the site only to be demolished in 1980. The existing Market Square shopping centre was built on the site of the Strand Theatre in 1980 by Kern Corporation Ltd and was opened by NSW Premier Neville Wran. The works included the construction of a steel pedestrian bridge between the Hunter Street Mall and Queens Wharf to the north³⁶.

While the Hunter Street façade of the building reflects characteristics seen in surrounding Victorian buildings, the building was constructed in 1980.

³⁶ Scanlon, Mike, "Change and the city of Newcastle," 8 January 2016 accessed 5 April 2017 via <http://www.theherald.com.au/story/3647883/city-of-great-change/>



Figure 129: View of Hunter Street looking east in an undated early photograph showing the Borough Market and other buildings that once occupied the site. (Source: Newcastle University Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/uon/6828330222/in/photostream/>)



Figure 130: Photograph from the Ross and Pat Craig Collection showing the Strand Theatre and adjoining building to the west that were demolished in 1980. (Source: University of Newcastle Cultural Collections, accessed 5 April 2017 via <https://www.flickr.com/photos/uon/31464404612/in/photostream/>)

5.5. Block 4

As previously detailed in Section 5.4, the arrangement of the four city blocks that are the focus of this report, were a later configuration that arose from c.1886 onwards following the subdivision and development that occurred in the area in response to the growing population and importance of Newcastle as a coal town. As such, Block 4 is not evident in an early plan that shows Blocks 2, 3 and 4 together as the Market Place complex (Figure 69). This eventually changed and by c.1886 the current configuration of Block 4 had been devised.

According to various maps from the period, by 1886 Block 4 was populated by a few buildings and businesses including the London Tavern Hotel, a watchmaker, fancy goods store, draper, the Hunt Club Hotel and three buildings owned by Major John Charles Bolton.

Major Bolton was considered one of the oldest residents of Newcastle and was born in Dublin in 1908. According to his obituary, he studied at Trinity College in Dublin and obtained a BA and arrived in Australia in 1837, under the service of the Imperial Government. In 1840 he was appointed as Collector of Customs and he resigned from his position in 1870, choosing to live the remainder of his life in retirement. He was also a member of the local Volunteer Force and represented St John's parish in the diocesan synod for a number of years. His funeral was attended by many influential citizens at the time and his body was interred at the Sandgate cemetery³⁷.

The Hunt Club Hotel was later known as Locke's Hotel and Beauchamp Hotel and is located at 103 Hunter Street, outside of the study area.

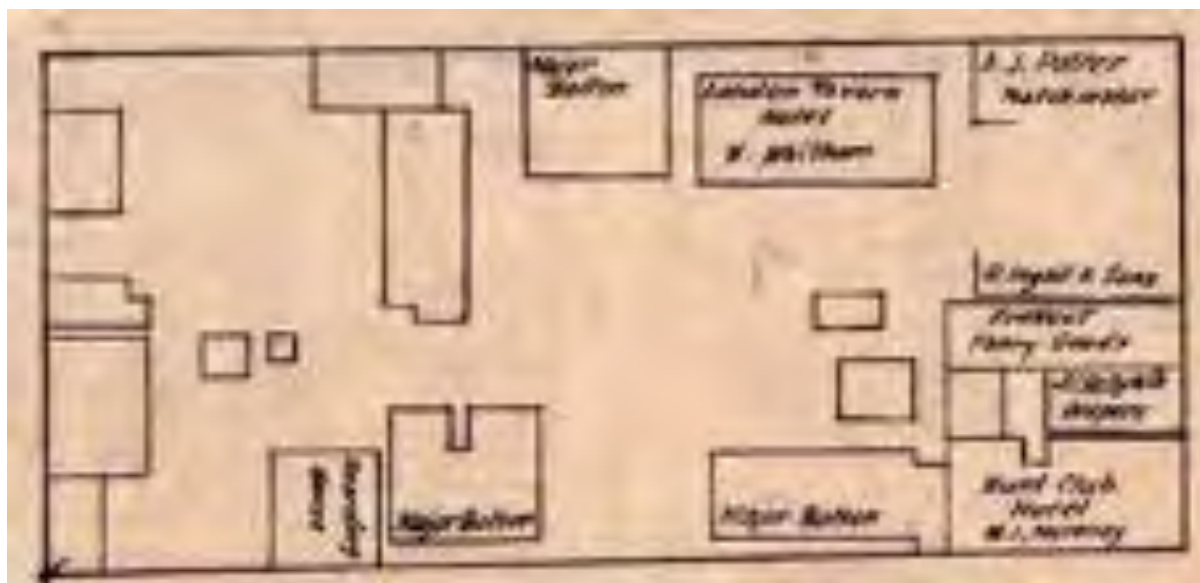


Figure 131: Detail from a plan of Newcastle dated 1886. (Source: University of Newcastle Cultural Collections, M2039 Sheet 8. Accessed 2 March 2017 via <https://www.flickr.com/photos/uon/sets/72157627126833932/>)

³⁷ "Death of Major Bolton," The Sydney Mail and New South Wales Advertiser, Saturday 6 October 1894, p.722, accessed 16 March 2016 via <http://trove.nla.gov.au/newspaper/article/162837667?searchTerm=Major%20John%20Charles%20Bolton&searchLimits>



Figure 132: Plan for an allotment located on the corner of Hunter and Newcomen Streets, dated October 1873 and prepared by John W Pender. The allotment (no.101) contains 6 1/2 perches. (Source: Newcastle University Cultural Collections, registration no. M5131-3, accessed 20 March 2017 via <https://www.flickr.com/photos/uon/6502187953/in/photostream/>)



Figure 133: Detailed view from an undated early photograph of Hunter Street with Block 4 buildings circled in red. (Source: Newcastle Region Library, registration no. 056 000437, accessed 22 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=27028&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)



Figure 134: Undated photograph of the Hunt Club Hotel, taken by Ralph Snowball. The hotel was located on the corner of Newcomen and Hunter Streets at 103 Hunter Street. This site is not owned by Iris Capital, but has been included here to show the configuration of this intersection at the time. (Source: Newcastle University Cultural Collections, accessed 20 March 2017 via <https://www.flickr.com/photos/8571926@N06/3237788556>)



Figure 135: View of Newcomen Street from the 1880s. (Source: University of Newcastle Cultural Collections, M4874 – Panel 28, accessed 20 March 2017 via <https://www.flickr.com/photos/8571926@N06/6067476827>)



Figure 136: View of Newcomen Street from 1992. (Source: University of Newcastle Cultural Collections, M4874 – Panel 28, accessed 20 March 2017 via <https://www.flickr.com/photos/8571926@N06/6067476827>)

5.5.1. 111 Hunter Street

111 Hunter Street has a long-established history as the location of local Newcastle and Australian businesses, having been occupied by a range of companies dating back as early as c.1890. Some examples of previous occupants include the Ellis Boot Store, a hat and cap manufacturer, AJ Potter & Co and Hughes and Son Surgeons/ Dentists, as seen in Figures 97 and 98.

The exact date of development of the existing building located at 111 Hunter Street is unknown, however, the building is present in a photograph dating from 1891 suggesting construction prior to this date. Recent documentation also attributes the architect for the building as being Frederick B Menkens, however, this could not be verified. In the 1891 photograph the building is prominently visible alongside the original Scott's Ltd store (before it extended west into Mrs Provost's store) and an original awning and first floor wrap around balcony are clearly visible. The first floor also appears to be offices, used by a dentist.

In 1915 both 109 and 111 Hunter Street are identified in newspaper articles as being the location of the Commonwealth Shoe Company Limited, responsible for the provision of "cheap and reliable footwear."³⁸ Considering Potter & Co continuously operated from the corner shop on the ground floor of 111 Hunter Street, the Commonwealth Shoe Company most likely partially occupied the ground floor eastern shop, seen in the 1891 image (Figure 97) as being occupied by a hat and cap manufacturer.

Potter & Co was a jewellery company that was long established in Newcastle and produced and sold all sorts of goods including silver and gold watches and chains, silverware, combs, cigarette and cigar cases, pendants, locketts, bangles and various other pieces of jewellery. The company remained at 111 Hunter Street for many years and in an article from December 1909, it is noted that the manufacturing

³⁸ "Commonwealth Shoe Coy," Newcastle Morning Herald and Miners' Advocate, Friday 24 December 1916, p.6, accessed 20 March 2017 via <http://trove.nla.gov.au/newspaper/article/137972089?searchTerm=109%20Hunter%20Street%20Newcastle&searchLimits>

department was located upstairs and there were several employees who were, "constantly engaged in making jewellery, medals, trophies, etc."³⁹

Potter & Co made several changes to the building, particularly the ground floor shop front. In an article and advertisement from 1905, it is noted that the shopfront windows had been enlarged, to increase display opportunities⁴⁰. The premises were again subjected to alterations and additions in 1908, which involved the extension of the shopfront most likely into the neighbouring shop to the east, doubling the length of the window displays (as can be seen in a photograph from 1938 (Figure 98). The shopfront was also finished in marble and internal changes were made to increase the space, presumably through the removal of internal walls⁴¹.

In a photograph from 1938 (Figure 98) Potter & Co Jeweller and Watchmaker are clearly identified as occupying the ground floor of the building, with a clock prominently visible above the awning, most likely produced by the company. By this time the first floor balcony and original awning had been removed and the "Sanitarium Building" sign had not yet been installed.

In an article from 1948 Potter & Co Jewellers are still identified as being located at 111 Hunter Street, Newcastle and specifically dealing with old gold, diamond rings and other Jewellery⁴².

In May 1954 the premises of both 109 and 111 Hunter Street were sold together in Sydney and achieved the price of £73,000. At the time 111 Hunter Street was still occupied by Potter & Co. The sale was conducted by Messrs Richardson and Wrench's Sydney saleroom and the owners at the time were noted as being the Storey family, Royal Newcastle Hospital and the Anglican Diocese of Newcastle. Both properties in the article are identified as originally being part of the Kemp and Parnell Estates, however, this could not be verified⁴³. In a photograph from 1972 (Figure 99) the building appears to have been used as a camera store.

According to an article in the Sydney Morning Herald from 1989, "The Sanitarium Building at 111 Hunter Street was sold by the Australasian Conference Association Ltd, a company which owns the Sanitarium Food Company."⁴⁴

The Sanitarium Food Group was established in the late 1800s by a group of American Seventh-day Adventist immigrants who were determined to import health food products into Australia. Their business originally involved the importation of goods from Battle Creek in Michigan, which at the time was famous for its Sanitarium⁴⁵.

The first shipment from Battle Creek consisted of granola, caramel cereal and gluten products and arrived in Melbourne in 1897. This first shipment was very quickly purchased by the locals and it was evident that the market for health foods in Australia well exceeded the supply available through Battle

39 "Messrs Potter & Co," Newcastle Morning Herald and Miners' Advocate, Monday 20 December 1909, p.7, accessed 22 March 2017 via

<http://trove.nla.gov.au/newspaper/article/138458400?searchTerm=Potter%20%26%20Co%20Hunter%20Street%20newcastle&searchLimits>

40 "Potter & Co Goldsmiths and Silversmiths," Newcastle Morning Herald and Miners' Advocate, Monday 18 December 1905, p.7, accessed 22 March 2017 via

<http://trove.nla.gov.au/newspaper/article/136112312?searchTerm=Potter%20%26%20Co%20Hunter%20Street%20newcastle&searchLimits>

41 "Messrs Potter & Co," Newcastle Morning Herald and Miners' Advocate, Tuesday 15 December 1908, p.7, accessed 22 March 2017 via

<http://trove.nla.gov.au/newspaper/article/135613813?searchTerm=Potter%20%26%20Co%20Hunter%20Street%20newcastle&searchLimits>

42 The Newcastle Sun, Wednesday 7 April 1948, p.8, accessed 20 March 2017 via <http://trove.nla.gov.au/newspaper/article/158136982?searchTerm=Sanitarium%20Health%20Food%20Company%20Hunter%20Street%20Newcastle&searchLimits>

43 "Premises Sell For £73,000," Newcastle Morning Herald and Miners' Advocate, Saturday 15 May 1954, p.2, accessed 20 March 2017 via <http://trove.nla.gov.au/newspaper/article/134667954?searchTerm=109%20Hunter%20Street%20Newcastle&searchLimits>

44 The Sydney Morning Herald, 2 December 1989, p.46, accessed 20 March 2017 via <https://www.newspapers.com/newspage/123457316/>

45 History of Seventh-day Adventist Work with Soyfoods, Vegetarianism, Meat Alternatives, What Gluten, Dietary Fibre and Peanut Butter (1863-2013), compiled by William Shurtleff & Akiko Aoyagi, Soy Info Centre, 2014, Lafayette California, p.926, accessed 20 March 2017 via

https://books.google.com.au/books?id=enWfAgAAQBAJ&pg=PA926&lpg=PA926&dq=Sanitarium+health+food+shop+newcastle&source=bl&ots=94TYg_fyKG&sig=k8Njn3_XymSpQPGMP1-JYK9nQM&hl=en&sa=X&ved=0ahUKEwjemtrhkeTSAhUMn5QKHZYvArkQ6AEIViAJ#v=onepage&q=Sanitarium%20health%20food%20shop%20newcastle&f=false

Creek. As such, a baker named EC Halsey was persuaded to migrate to Australia, having formerly worked at a manufacturing plant in Battle Creek. Shortly after his arrival St George's Bakery in Melbourne was rented in 1889 for the production of granola and caramel cereal. In the same year larger premises were obtained in Cooranbong, located south of Newcastle. The company name of Sanitarium Health Food was attributed in 1898 and in 1899, production commenced in a large defunct sawmill⁴⁶.

Over the subsequent years to company continued to grow and in 1906 the first Sanitarium retail store was opened in the Royal Arcade in Sydney. Many of these early shops also included a vegetarian restaurant and today, there are over 70 retail shops in existence. In 1935 the Australasian Food Research Laboratories were established and located on the grounds of the Cooranbong facility⁴⁷. The relationship between this building and the Sanitarium company is unknown, however, it is likely that the building was used as a retail outlet for company or for administrative purposes.

In more recent times 111 Hunter Street has been used by Renew Newcastle as part of the Arhive project, an artist run initiative providing a studio space for local artists to use for various purposes including for performances, installations, markets, workshops and as a gallery space⁴⁸.

The ground floor of the building is currently occupied by a café and clothing store.

The following timeline summarises the historical development of the site.

Date	Event
c.1890	The existing building is designed by Frederick B Menkens and constructed for commercial purposes. Some early occupants include AJ Potter & Co
1905	The shopfront windows were enlarged to increase display opportunities
1908	Further modifications to the AJ Potter & Co tenancy made including the extension of the shopfront windows into a neighbouring tenancy. The shopfront was also finished in marble and changes were made to the interior
1938	AJ Potter & Co still located at 111 Hunter Street. A clock by this date had been installed to the awning
1954	The site is sold with 109 Hunter Street
1972	Ground floor tenancy is occupied by a camera store
1989	Known as the Sanitarium building, the site was sold by the Australasian Conference Association Ltd, a company that owns the Sanitarium Food Company
c.2007	The site is acquired by the GPT Group and subsequently used by Renew Newcastle for their Arhive project
2016	The site is acquired by Iris Capital
2021	The site became vacant

⁴⁶ Ibid

⁴⁷ Ibid

⁴⁸ "ARTHIVE," Renew Newcastle website, accessed 22 March 2017 via <http://renewnewcastle.org/projects/project/arhive/>



Figure 137: Ralph Snowball photograph from April 1891 showing the building at 111 Hunter Street, prior to removal of the awning and balcony. At this time the site is occupied by a dentist, jeweller and hat/cap manufacturer. (Source: University of Newcastle Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/4862444616/in/photostream/>)



Figure 138: Photograph of 105-111 Hunter Street with 111 Hunter Street visible to the right. Attached above the awning in this photograph is a clock that later appears at 109 Hunter Street. Dated 1938. (Source: Newcastle University Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/8641073669/in/photostream/>)

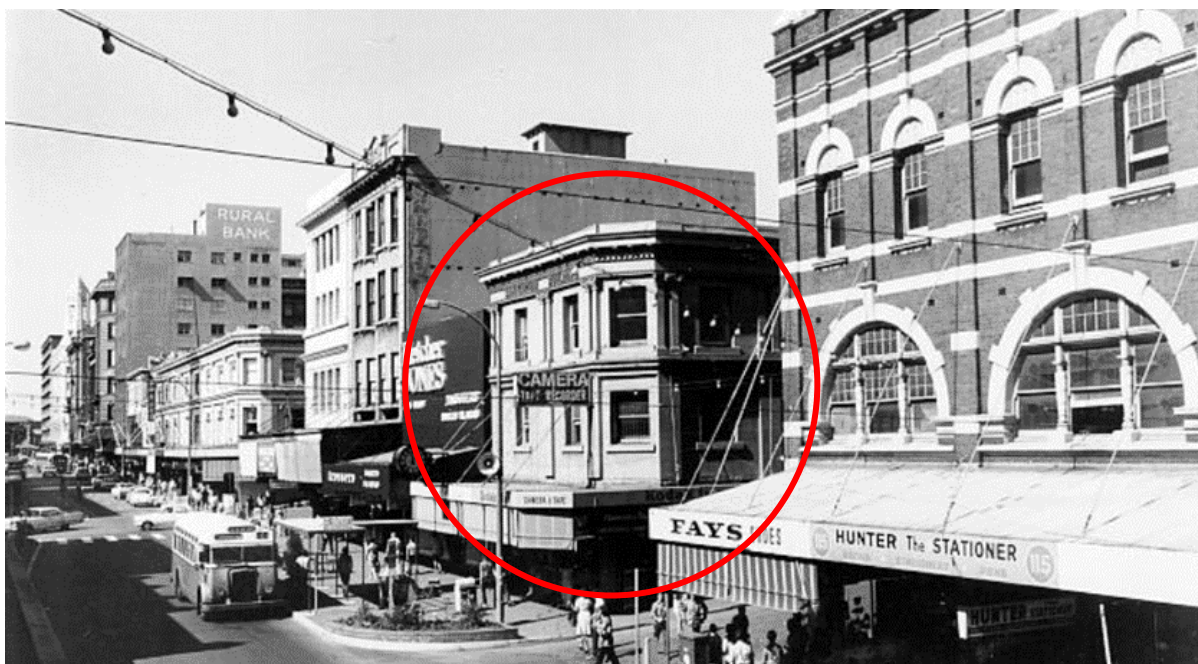


Figure 139: View looking east in 1972 with the subject site circled in red. (Source: Newcastle Region Library, registration no. 047 000009, accessed 20 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25935&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)

5.5.2. 109 Hunter Street

The premises of 109 Hunter Street were formally the original location of the original Scott's Ltd store, following extensions made to the original store, as seen in Figure 101. According to the foundation date seen within the parapet of the existing building, 109 Hunter Street was constructed c.1926 and was originally constructed as a retail shop, later used by Fletcher Jones.

Fletcher Jones is an Australian retailer that was founded by David Fletcher Jones in Warrnambool, Victoria in 1918. The business originally began selling textiles and was highly successful in its early formative years, leading to the rapid expansion of the company. Fletcher Jones eventually began selling men's suits and trousers, all of which were predominately manufactured by a group of employed tailors and eventually a factory building was purchased in Victoria. The company experienced its "golden years" during the 1970s and 1980s and at the time had over 3,000 employees. The business focused on providing specialised business and casual clothing for men and was considered one of the leading Australian retailers at the time⁴⁹.

The company was under administration by December 2011, which was the result of various factors including the downgrading of profits. The company has since relaunched as an online business⁵⁰.

Fletcher Jones operated at 109 Hunter Street for several decades and in an image from 1972 (Figure 104), the façade above the parapet was clad over and the building given a completely new streetscape appearance. It is unclear at the time whether the two bay windows to the first floor were removed, however, given the amount of cladding required to create a flush appearance, removal of the windows seems likely. The bay windows and the original façade above the awning have since been reinstated. Prior to this and as evident in Figures 102 and 103, the building was occupied by Mick Simmons Ltd in

49 "About Us," Fletcher Jones Australia website, accessed 22 March 2017 via <http://www.fletcherjones.com.au/about-us>

50 "Fletcher Jones under administration after 100 years," The Australian, 8 December 2011, accessed 22 March 2017 via <http://www.theaustralian.com.au/business/companies/fletcher-jones-under-administration-after-100-years/news-story/01c170c3e7428cedd145394dca2257e0>

c.1917. In an image from 1938 (Figure 100) the foundation date is visible in addition to a plaque that is no longer present.

Following closure of the store, the building was unoccupied for a period of time before being used as a studio space for artists as part of the Renew Newcastle project which was responsible for activating many old buildings within Newcastle's city centre and attempting to resurrect Newcastle's city centre. As part of the Renew Newcastle project, Professor Jane Shadbolt and her team produced a short film within the space, known as "The Cartographer." While the building does not feature in the film, it was used as the main workspace for the project over a number of years, as seen in Figures 108-110. Of particular note in these images are the Fletcher Jones monogrammed carpet, racks for shoe boxes and interior views of the bay windows⁵¹.

The building is currently occupied by the renowned vintage clothing store CREAM.

The following timeline provides an overview of the history of 109 Hunter Street.

Date	Event
c.1897	An existing store is extended into by Scott's Ltd
1908	Scott's Ltd vacates the premises
c.1926	The previous building is demolished and the current building constructed
1938	The site is occupied by Australian retailer Mick Simmons
1970s	The site is occupied by Australian retailer Fletcher Jones. The façade is clad over and the bay windows removed
c.2008	The site had remained vacant for a number of years before being acquired by the GPT Group and leased to Renew Newcastle. Professor Jane Shadbolt and her team occupy a studio on the first floor and film the short film "The Cartographer"
2017	The site remains unoccupied



Figure 140: Photograph of 105-111 Hunter Street with 109 Hunter Street visible to the right. Dated 1938. (Source: Newcastle University Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/8641073669/in/photostream/>)

⁵¹ "The Cartographer returns to Newcastle," University of Newcastle, UNO Blog News, accessed 20 March 2017 via <http://blogs.newcastle.edu.au/blog/2012/10/25/the-cartographer-returns-to-newcastle/>



Figure 141: Photograph by Ralph Snowball of W Scott's building, dated 1897, with the original building that once occupied 109 Hunter Street circled in red. (Source: Newcastle Region Library, registration no. 001 002415, accessed 20 February 2017 via <http://trove.nla.gov.au/work/162273325?q=Scotts+Ltd+Newcastle&c=picture&versionId=176854624>)



Figure 142: Undated photograph of Hunter Street looking east with the subject building visible to the right of the image. (Source: Newcastle Region Library, registration no. 084 000006, accessed 20 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=28246&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)



Figure 143: Photographs dating from 1952 of the parapet and façade below the awning. Also note the clock that appears in several early images. (Source: Newcastle Region Library, registration no.'s 104 001829 and 104 001828, accessed 20 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=31426&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm> and <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=31425&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)



Figure 144: View looking east in 1972 with the subject sites circled in red. (Source: Newcastle Region Library, registration no. 047 000009, accessed 20 March 2017 via <http://collections.ncc.nsw.gov.au/keemu/pages/nrm/Display.php?irn=25935&QueryPage=%2Fkeemu%2Fpages%2Fnrm%2Findex.htm>)



Figure 145: Photograph of the interior of the Fletcher Jones store in Hunter Street, Newcastle, dated 1969. Taken by Joe Freedman, Market House, Thorn Street Newcastle. (Source: University of Melbourne Library, item no. 175621, via the FJ Foundation, accessed 20 March 2017 via <https://digitised-collections.unimelb.edu.au/handle/11343/120012>)



Figure 146: The first window display for Fletcher Jones, 1969. (Source: University of Melbourne Library, item no. 175622, via the FJ Foundation, accessed 20 March 2017 via <https://digitised-collections.unimelb.edu.au/handle/11343/120012>)



Figure 147: View of the subject sites from 1992. (Source: University of Newcastle Cultural Collection, item no. M4874, accessed 20 March 2017 via <https://www.flickr.com/photos/uon/6067476827/in/photostream/>)



Figure 148: Internal views of the first floor studio used by Jane Shadbolt during production of "The Cartographer." Dated c.2008. In these views the bay window is clearly visible in the background. (Source: Courtesy of Professor Jane Shadbolt)



Figure 149: Internal views of the first floor studio used by Jane Shadbolt during production of "The Cartographer." Dated c.2008. The image on the right shows the workspace following painting works and some old shoe storage racks and the image on the right shows the original monogrammed carpet. (Source: Courtesy of Professor Jane Shadbolt)



Figure 150: Internal views of the first floor studio used by Jane Shadbolt during production of "The Cartographer." Dated c.2008 the image on the left is of the ground floor of the building and the image on the right is of the first floor studio space with the pressed metal ceiling clearly evident. (Source: Courtesy of Professor Jane Shadbolt)

5.5.3. 105 Hunter Street

Historical research to date has uncovered little information regarding the building located at 105 Hunter Street. However, the ground floor appears to have been consistently occupied by various commercial business including Scott's Ltd, which occupied a previous building that once occupied by the site. As evident in the architectural detailing of the façade, the building most likely dates from the Inter-War period between the late 1910s and early 1920s and is thought to have been developed in association with 103 Hunter Street.

By 1938 the existing building was present and was known as the "Frances Ann" store (although the street address for the property appears as 107 in an advertisement from the period)⁵².



Figure 151: Photograph of 105-111 Hunter Street with 105 Hunter Street visible to the left. Dated 1938. (Source: Newcastle University Cultural Collections, accessed 21 March 2017 via <https://www.flickr.com/photos/uon/8641073669/in/photostream/>)

5.5.4. 3 Morgan Street

Located at 3 Morgan Street is a church building dating from the 1970s and originally constructed as St Mark's Catholic Church. Historical research to date has not uncovered the exact date the site was no longer used as a church, however, by 2008 it is noted that the building had been unoccupied for a number of years prior (c.2006) to it being acquired by the GPT Group. In late 2008 the building became the head office of Renew Newcastle and was used as a meeting place and community centre (e.g. Renew Newcastle held the beanstalk organic food co-op at the site). The two-storey building to the north of the original St Mark's Catholic Church were residential premises converted by Renew Newcastle into an Artist in Residence Space in 2009⁵³.

In October 2009 local metal sculptor Tom Ireland was engaged to create a sign for Renew Newcastle, which was installed above the main entrance to the former church⁵⁴.

The church was used by Renew Newcastle as the centre for their operations until June 2012, following the end of their lease. The site was subsequently leased by another church group and renamed "Calvary Chapel."⁵⁵

Historical research to date has not identified what occupied the southern section of the site, prior to it becoming a carpark. However, in Figure 112, a series of terraced houses can be seen within Newcomen Street, some of which were demolished when Blackall House at 22 Newcomen Street was constructed in 1936. Therefore, it is most likely that the southern section of the site was occupied by residential

⁵² "Frances Ann's Sale," The Newcastle Sun, Thursday 30 June 1938, p.4, accessed 27 March 2017 via <http://trove.nla.gov.au/newspaper/article/166706146?searchTerm=Frances%20Ann%20Hunter%20Street%20Newcastle&searchLimits>

⁵³ "Renew Newcastle HQ 'The Church,'" Renew Newcastle website, accessed 3 April 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-the-church/>

⁵⁴ Ibid

⁵⁵ Ibid

terraces prior to it becoming a carpark. This is also supported in an undated block plan from c.1930 that shows two unknown buildings, possibly residential, located on the carpark site. The Calvary Chapel site at the time was occupied by a residential establishment known as The Burlington, along with an associated lodging House and Billiard Room (Figure 113).

The following timeline summarise the history of 3 Morgan Street.

Date	Event
1970s	St Mark's Church is constructed at 3 Morgan Street, Newcastle
c.2006	The church community of St Mark's has dwindled and the building is abandoned and shortly after acquired by the GPT Group
2008	The former St Mark's Church is leased to Renew Newcastle as used as their head office and the location of various community functions run by Renew Newcastle
21 February 2009	Renew Newcastle projects launch held in the former St Mark's Church rectory
October 2009	Artist Tom Ireland is engaged to create a metal sculpture saying "Renew Newcastle." The sign is eventually attached to the main entrance awning
June 2012	Renew Newcastle's lease expires and the premises are vacated
2012 onwards	A new lease agreement is devised with another church group and the building is renamed the "Calvary Chapel." The church group continue to operate at the site
2020	The site became vacant

The following images provide an overview of the historical development of 3 Morgan Street.

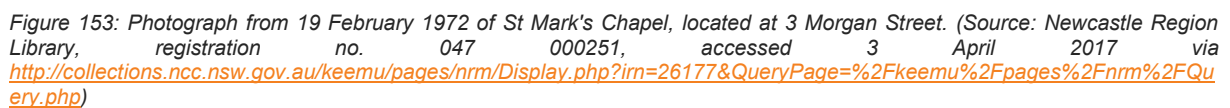
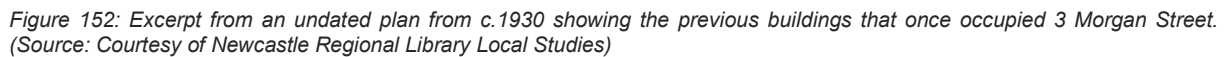




Figure 154: View of the former St Mark's Church entrance with the Renew Newcastle sign designed by Tom Ireland and installed in October 2009. (Source: "Renew Newcastle HQ 'The Church,'" Renew Newcastle website, accessed 3 April 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-the-church/>)



Figure 155: Interior view of the former St Mark's Church rectory taking c.2009 when the site was occupied by Renew Newcastle. (Source: "Renew Newcastle HQ 'The Church,'" Renew Newcastle website, accessed 3 April 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-the-church/>)



Figure 156: Internal view of the rectory roof of the former St Mark's Church, taken c.2009 when the site was occupied by Renew Newcastle. (Source: "Renew Newcastle HQ 'The Church,'" Renew Newcastle website, accessed 3 April 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-the-church/>)



Renew Newcastle Projects Launch
Saturday 21 February 2009, 11am, 3 Morgan St Newcastle

Figure 157: Photograph from the Renew Newcastle Projects launch on Saturday 21 February 2009. The launch was held in the former St Mark's Church rectory. (Source: "Renew Newcastle HQ 'The Church,'" Renew Newcastle website, accessed 3 April 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-the-church/>)

5.5.5. 22 Newcomen Street

In a photograph from the 1880s (Figure 119), Newcomen Street at the time was populated by a series of terraces houses. The terraces present at 22 Newcomen Street were demolished to make way for "Blackall House," designed as a welfare centre for the Newcastle branch of the Adult Deaf and Dumb Society⁵⁶.

⁵⁶ "Adult Deaf and Dumb, Blackall House Opened," The Newcastle Sun, Friday 21 August 1936, p.8, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/166542142?searchTerm=Blackall%20House%20Newcastle&searchLimits>

The Newcastle branch of the Adult Deaf and Dumb Society was established in c.1930 and club rooms were provided by council and renovated. A Women's Auxiliary was formed to raise funds for the branch, spearheaded by Mrs Ruby Blackall (wife of former mayor Mr Thomas Blackall). The first work of the committee was to provide support for the "deaf and dumb" and they were immediately made aware of the unemployment situation of many "deaf mutes" in the Newcastle district area⁵⁷. Mrs Blackall was tireless in her efforts for the Newcastle branch of the Adult Deaf and Dumb Society, as evident in an article that appeared in the Newcastle Morning Herald and Miner's Advocate on 8 August 1936⁵⁸:

Of all the people who have worked to achieve the Adult Deaf and Dumb Society's new building in Newcomen-street, Newcastle, which is to be officially opened by Sir Frederick Stewart on Friday, August 21, none has poured into it more untiring energy than Mrs T Blackall. It is with an appreciation of this fact in mind that the committee controlling the building has determined that it shall be known by her name. The building is to be called Blackall House. The opening ceremony is to be followed during the afternoon and night by a bazaar, within the building, which Lady Stewart will open. The fete will continue on Saturday, and Saturday night, with various entertainment items to add interest to the programme. Tributes to others who have worked for the welfare of the organisation will take the form of enlarged photographs to be hung in the main hall. A brass plate is to be erected in recognition of the efforts of the Patron (Mr J Laskie).

Mrs Ruby Blackall dedicated her life to community service and was first Mayoress of Newcastle and later the superintendent and secretary of the Adult Deaf and Dumb Society. Through her efforts, the society was formed in Newcastle and a holiday home opened in Belmont. She was born in Gympie, Queensland and came to Newcastle at an early age. Her husband, the late Thomas Blackall, was Mayor in 1930 and during her term as Mayoress, Mrs Blackall formed the Sunshine Club⁵⁹.

According to an article from August 1936, the building was opened by Mayor Sir Frederick Stewart and attended by the Mayoress, the Bishop of Newcastle Right Rev F de Witt Batty, the Bishop elect of Ballarat and Dean of Newcastle Very Rev W H Johnson and the Town Clerk Mr G Wells. The President of the Newcastle branch of the Society was also in attendance, Mr J Laskie, and at the opening the Major praised the work of the President and of Mrs Blackall and her husband and noted that he hoped that from this building would radiate a "tremendous sympathy for those who were denied the ordinary method of articulation."⁶⁰

In article dating to the beginning of August, just before Blackall House opened, the building was described as follows⁶¹:

...The building is of two storeys, in brick, with tiled roof, and with ample lighting by means of large windows. Dark bricks have been used in the base. The planning incorporates offices, dormitories, bath rooms, billiard-room and a large social hall at the rear.

The architect is Mr J W Oldham, of Newcastle, and the contractors are Messrs Elliot and Beck of Macquarie Street, Junction.

The architect of Blackall House, John Oldham, had an extensive architectural practice and primarily operated during the Inter-War period. Oldham was born in Manchester in England, where he trained as an architect and practiced until he migrated to Australia in the 1920s. Amongst his accomplishments, Oldham was a former alderman of the City of Newcastle Council, was architect to the NSW Cooperative Wholesalers' Society and is noted as having taken an interest in civil affairs. He was also a keen sportsman and a founding member of the National Park Bowling Club. He was responsible for designing

57 "Adult Deaf and Dum Branch Formed at Newcastle," The Sydney Morning Herald, Saturday 22 February 1930, p.11, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/16627693>

58 "Blackall House," Newcastle Morning Herald and Miners' Advocate, Saturday 8 August 1936, p.10, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/140505764?searchTerm=Blackall%20House%20Newcastle&searchLimits>

59 "Death of Mrs Blackall," The Newcastle Sun, Thursday 23 August 1951, p.2, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/159009370?searchTerm=Blackall%20House%20Newcastle&searchLimits>

60 "Blackall House," Newcastle Morning Herald and Miners' Advocate, Saturday 8 August 1936, p.10, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/140505764?searchTerm=Blackall%20House%20Newcastle&searchLimits>

61 "Deaf and Dumb Society Building Near Completion," Newcastle Morning Herald and Miners' Advocate, Saturday 1 August 1936, p.7, accessed 22 March 2016 via <http://trove.nla.gov.au/newspaper/article/140506739?searchTerm=Blackall%20House%20Newcastle&searchLimits>

the Hamilton Wesley Church, a portion of Tyrrell House and several blocks of flats throughout the Hunter region⁶².

Blackall House was a popular social venue from the second half of the 1930s well into the 1970s with many events having been held at the hall and funds raised to support the Society. An example of a social event held at Blackall House includes a piano recital by Sydney pianist, Alexander Sverjensky⁶³.

It was later known as the Newcastle Deaf Centre and during the 1980s the Deaf Society of NSW (formerly the Adult Deaf and Dumb Society) experienced financial difficulty. By 1995 the Newcastle Deaf centre was sold. In c.2007 it was acquired by the GPT Group and leased for community purposes⁶⁴.

The hall is currently used by "Pivot Studios" for various classes including Zumba.

The following timeline summarises the historical development of 22 Newcomen Street.

Date	Event
c.1880s	The site is occupied by a series of residential terrace buildings
c.1930	The Adult Deaf and Dumb Society of Newcastle is established in club rooms provided by Council and renovated for their purposes
1936	Blackall House is constructed, opening in August
1930s - 1970s	The building continues to be used for a variety of social and community functions and a significant amount of funds are raised from these events for the Society
1980s	The Deaf Society of NSW (formerly the Adult Deaf and Dumb Society) experiences financial difficulty
1995	Blackall House is sold off
c.2007	The site is acquired by the GPT Group and leased for community purposes
2017	The site is currently used as "Pivot Studios"
2021	The site became vacant

The following images provide an overview of the historical development of 22 Newcomen Street.

62 "Mr John William Oldham Dies: Well Known Architect," The Newcastle Sun, Tuesday 10 January 1950, p.3, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/158809132?searchTerm=John%20Oldham%20architect&searchLimits>

63 "Sverjensky to Plan at Blackall House," Newcastle Morning Herald and Miners' Advocate, Saturday 24 November 1945, p.6, accessed 22 March 2017 via <http://trove.nla.gov.au/newspaper/article/134375613?searchTerm=Blackall%20House%20Newcastle&searchLimits>

64 "Deaf in NSW: A Community History," website created to celebrate the Deaf Society of NSW in 2013, accessed 3 April 2017 via <http://deafinnsw.com/>



Figure 158: Detailed view from a photograph of Newcomen Street dated c. 1880s. Note the terrace houses located where Blackall House now stands. (Source: University of Newcastle Cultural Collections, M4874 – Panel 28, accessed 20 March 2017 via <https://www.flickr.com/photos/8571926@N06/6067476827>)



Figure 159: Photograph of Blackall House prior to completion in 1936. (Source: "Deaf and Dumb Society Building Near Completion," Newcastle Morning Herald and Miners' Advocate, Saturday 1 August 1936, p.7, accessed 22 March 2016 via <http://trove.nla.gov.au/newspaper/article/140506739?searchTerm=Blackall%20House%20Newcastle&searchLimits>)



Figure 160: Photograph from 1992 of Blackall House showing the northern façade which has since been partially obscured by a recent neighbouring apartment building development. (Source: University of Newcastle Cultural Collections, M4874 – Panel 28, accessed 20 March 2017 via <https://www.flickr.com/photos/8571926@N06/6067476827>)

5.5.6. 66-74 King Street

The commercial building located on the corner of King and Newcomen Streets is a contemporary building and dates from the mid to late 20th century.

The timber residence located on the corner of Morgan and King Streets was most likely constructed in the late 19th/ early 20th centuries and is evident in a block plan from c.1930 (Figure 122).

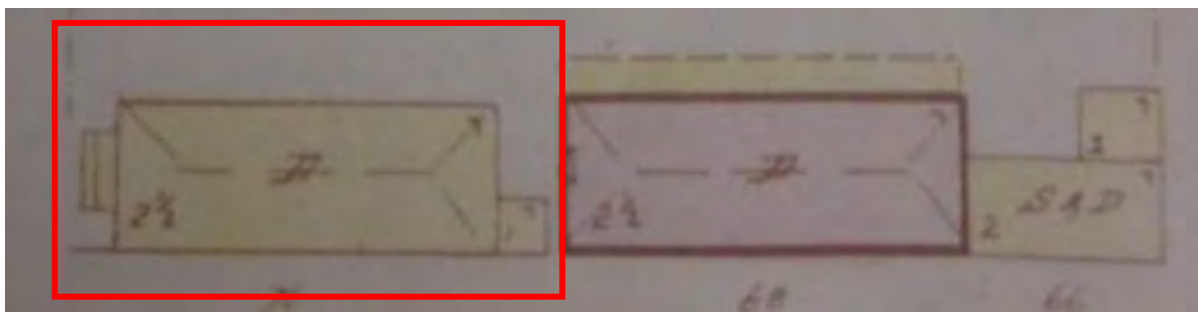


Figure 161: Excerpt from a map dating from c. 1930 showing the presence of the timber residence. (Source: Courtesy of Newcastle Regional Library Local Studies)

5.5.7. 1 Morgan Street

The residential apartment building located at 1 Morgan Street dates from the Inter-War period and was constructed in c.1935, as indicated in advertisements that appear for the apartment building in newspapers from the period⁶⁵.

⁶⁵ "To Let", The Maitland Daily Mercury, Thursday 21 November 1935, p.12, accessed 1 May 2017 via <http://trove.nla.gov.au/newspaper/article/127088827?searchTerm=%22Arcadia%20Flats%22%20Morgan%20Street%20Newcastle&searchLimits>

6. ANALYSIS OF THE HISTORICAL AND PHYSICAL EVIDENCE

6.1. Introduction

The physical fabric of the study area tells the story of its history. Remnants exist from each historical phase of development dating from the late 19th century development of Newcastle. A comprehensive survey of the site has been conducted where access was possible, in order to complete the assessment and analysis of the physical fabric of the buildings located within the study area. The changes to the buildings have been discussed in Section 5 History. This section includes a general summary of the results of documentary and physical evidence.

In understanding the history of the site through physical evidence, documentary evidence was analysed, and compared with surviving fabric. This process forms the basis of understanding periodic change over time and the phasing of the site.

Following a site survey and review of background information pertinent to the site, four primary phases of construction have been identified. The results of the analysis of the historical and physical analysis, which involved non-destructive survey and observation, are presented in summary form below.

6.2. Major Changes

Historical research has indicated the buildings located within the Newcastle East End Precinct were primarily developed between the 1890s and the 1980s. The site shows various layers of occupation and even though fabric dating to the very early establishment of Newcastle is no longer present (c.1823 to 1880s), the arrangement of the streets, blocks and allotments reflects the historical development of the town of Newcastle generally, and the Newcastle East End Precinct (specifically the Market Place and Borough Markets) as the centre of Henry Dangar's original 1823 plan. It also reflects the subsequent changes made to Dangar's plan and improvement and building works undertaken by the Newcastle Borough Council to both the public domain and Council owned land. The existing built development of the area directly responded to the town planning which has a focus on Hunter Street, features constrained allotments and is based around a varying topography. As such, the buildings illustrate the ways in which architects, owners and builders throughout the years have tried to overcome the constraints presented by the site and the importance of Hunter Street as the commercial and retail centre of Newcastle from the late 19th century onwards.

Historical evidence uncovered to date has indicated many of the buildings present with the Newcastle East End Precinct have been altered numerous times to facilitate the growing and changing requirements of various occupants and owners. Despite these changes, there are a number of buildings that have a high degree of integrity due to the amount of original or early building fabric that remains and as a result of conservation works undertaken over the years.

The main construction phases of the site are reflected in the various chronological timelines attached to each building history and are summarised in point form below:

- 1885-1915 - King Street terraces (c.1885), 111 Hunter street (c.1890), former D Mitchell & Co warehouse (c.1904), former Washington House (1906), Scott's first Block A building (1908), Masonic Hall and Lyric Theatre (1905 onwards), former Municipal building (1908);
- Inter-War (1915 - 1940) - Blackall House at 22 Newcomen Street (1936), Arcadia Flats at 1 Morgan Street (c.1935), 14 Thorn Street (1930s), 1921 Scott's addition (demolished), 109 Hunter Street (1926), 153 Hunter Street (1938), 151 Hunter Street (1940), 105 Hunter Street (1910s-1920s);
- Post-War (1940s - 1960s) - David Jones changes to former Scott's Ltd buildings (1957-58), Wolfe Street extension (constructed in 1937 and altered in 1962), carpark (1967);
- 1980s - onwards - Market Square Shopping Centre (1980), former St Mark's Catholic Church/Calvary Chapel at 3 Morgan Street (1970s), reconstruction of 1921 Scott's building (1978); King Street Masonic Hall entrance (1970s), 66 King Street (1990s).

While changes were made to the Lyrique Theatre at various different stages, the exact location of some of these changes could not be verified. In addition, as the changes were so numerous only an indicative time for the construction of the existing building and major changes have been listed above. This also applies to the former David Jones building.

The evolution of the Newcastle East End Precinct is detailed in the following diagrams and is based on the site survey, historical research, early maps and photographs. They show the primary phases of development of the study area excluding the buildings that are located within the same blocks but not the subject of this report (which have been shaded in grey).



Figure 162: General plan of the buildings located within the Newcastle East End Precinct showing the first major phase of development, dating from 1885 to 1915 and including the development of the King Street Terraces (c.1885), 111 Hunter street (c.1890), former D Mitchell & Co warehouse (c.1904), former Washington House (1906), Scott's first Block A building (1908), Masonic Hall and Lyric Theatre (1905 onwards), former Municipal building (1908). (Source: CPH overlay SIX Maps aerial and street map, accessed 12 April 2017 via <https://maps.six.nsw.gov.au/>)



Figure 163: General plan of the buildings located within the Newcastle East End Precinct showing the second major phase of development, dating from Inter-War period (1915 - 1940) and including the development of Blackall House at 22 Newcomen Street (1936), Arcadia Flats at 1 Morgan Street (c.1935), 14 Thorn Street (1930s), 1921 Scott's addition (demolished), 109 Hunter Street (1926), 153 Hunter Street (1938), 151 Hunter Street (1940), 105 Hunter Street (1910s-1920s). (Source: CPH overlay SIX Maps aerial and street map, accessed 12 April 2017 via <https://maps.six.nsw.gov.au/>)



Figure 164: General plan of the buildings located within the Newcastle East End Precinct showing the third major phase of development, dating from the Post-War period (1940s-1960s) and including David Jones changes to former Scott's Ltd buildings (1957-58), the development of the Wolfe Street extension (constructed 1937 and altered 1962) and the carpark (1967). (Source: CPH overlay SIX Maps aerial and street map, accessed 12 April 2017 via <https://maps.six.nsw.gov.au/>)



Figure 165: General plan of the buildings located within the Newcastle East End Precinct showing the fourth major phase of development, dating from the 1980s onwards and including the development of Market Square Shopping Centre (1980), former St Mark's Catholic Church/Calvary Chapel at 3 Morgan Street (1970s), reconstruction of 1921 Scott's building (1978); King Street Masonic Hall entrance (1970s), 66 King Street (1990s). (Source: CPH overlay SIX Maps aerial and street map, accessed 12 April 2017 via <https://maps.six.nsw.gov.au/>)

7. COMPARATIVE ANALYSIS

The level of significance of an item is determined by its value relative to other comparable items, be they in a local or international context. The rarity and/or representativeness of the item are considered as part of the overall analysis of its significance. Comparisons will be made between suitable buildings for the purposes of establishing significance in relation to the rarity criteria and representativeness criteria of the NSW Heritage Council's 'Assessing Heritage Significance' guidelines.

Given the diversity of buildings located within the study area, the following comparative analysis explores each of the heritage listed or contributory buildings grouped according to their architectural style.

7.1. Federation Free Classical Style

The Federation Free Classical style dates from the late 19th century to the early 20th century and harks back to the Victorian Free Classical Style although avoids the strict interpretation of classical architecture. The style shows clear references to classical nodes but is considered a "Free" style in-so-far as the academic correctness employed in classical architecture is avoided and the need for simplicity has resulted in a reduction in the application of certain design elements including columns, pilasters, pediments etc⁶⁶.

According to Apperly et al, the style was considered most suited to growing settlements and reflects the confidence that accompanied this growth. One significant contributor to the style in Newcastle is architect Frederick B Menkens who was famous for designing a number of commercial buildings and warehouses in Newcastle⁶⁷. The style was commonly used for public and commercial buildings.

Stylistic features of note seen in various buildings located within the study area include the following:

- Symmetrical façade or deliberate asymmetry;
- Contrasting materials and textures;
- Balustraded parapet;
- Prominent tower with classical details;
- Parapet concealing roof;
- Conventional classical order of architecture or unconventional order of architecture;
- Giant order;
- Pediment, entablature, pilaster, pier treated as pilaster;
- Ground floor treated as base;
- Arcade, string course, circular opening or semi-circular.

There are numerous buildings located within the Newcastle East End Precinct that employ the Federation Free Classical style including the following:

- Masonic Hall/ Lyrique Theatre (c.1890, FG Pepper and Thomas Jeater);
- Former Municipal Building (1908, TW Silk);
- Former Washington House building (1906, Frederick B Menkens);
- Scott's 1908 and 1914 buildings;
- Mitchell & Co Warehouse (1904).

The following comparative analysis therefore explores similar examples located within Newcastle and identified on the SHR.

⁶⁶ Apperly, Richard, et al, "Federation Free Classical c.1890-c.1915," A Pictorial Guide to Identifying Australia Architecture: Styles and Terms from 1788 to the Present, HarperCollins Publishers Pty Ltd, Hong Kong, 1994, p.p 104-107

⁶⁷ Reedman, LA, "Menkens, Frederick Burnhardt (1855-1910)," Australian Dictionary of Biography, Volume 5, Melbourne University Press, 1974, accessed 19 April 2017 via <http://adb.anu.edu.au/biography/menkens-frederick-burnhardt-4186>

7.1.1. AA Dangar Offices

The AA Dangar Offices are located at 176 Hunter Street, directly across the street from Block B, and is identified as a heritage item on the Newcastle LEP (item no. I408). The building was originally constructed in 1906 with changes later made in 1911⁶⁸.

The building is noted as being associated with the Dangar family, as evident in its name. The building is located within a prime position within the Newcastle mall and is on a prominent corner site⁶⁹.

The 1906 building was designed by Frederick B Menkens and FG Castleden, during a prime period for development in the Newcastle area. The building was first constructed with three stories but was later altered to include a fourth level. Other changes made to the building include modifications to the ground floor façade and interior. It is currently used as shops and offices⁷⁰.

The site of the former AA Dangar Offices is on a significantly smaller scale than most of the buildings located within the Newcastle East End Precinct. As such, the building has a small frontage to Hunter Street with a larger frontage visible from Thorn Street. Stylistically the building features more elaborate decoration seen in the mouldings around the window arches and in friezes between each level.

As with most buildings within the study area, the ground floor and awning has been modified in recent years. The interiors also appear to have been modified.

AA Dangar Offices		Similar	Different
Significance Level	Local	✓	
Period	1906	✓	
Style	Federation Free Classical		✓ (more detailing present)
Storeys	Four	✓	
Wall Finish	Facebrick	✓	
Façade detailing	Rendered mouldings to window arches	✓	
	Prominent corner design features	✓	
	Triple hung windows		✓

⁶⁸ State Heritage Inventory form for the "AA Dangar Office," database no. 2170177, accessed 13 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2170177>

⁶⁹ Ibid

⁷⁰ Ibid



Figure 166: View from Hunter Street looking towards the former AA Dangar building (left) and an internal view of one of the floors of the building from a recent real estate listing (right). (Source: Google Street View February 2017 accessed 26 April 2017 via <https://www.google.com.au/maps/@-32.926916,151.7805936,3a,75y,342.02h,108.7t/data=!3m6!1e1!3m4!1syCedr1ZHrJJifABOCWvI4A!2e0!7i13312!8i6656!6m1!1e1> and Domain Property History, accessed 26 April 2017 via <https://www.domain.com.au/property-profile/176-hunter-street-newcastle-nsw-2300>)

7.1.2. Former Centennial Hotel

The former Centennial Hotel is located at 114 Hunter Street and was constructed in 1888 for proprietor Walter Sidney who sought to create a new standard for hotels in Newcastle. The building was designed by architect J Henderson and originally featured a prominent balcony to the first floor⁷¹. It is identified as a heritage item of local significance under Schedule 5 of the Newcastle LEP (item no. 1456).

As with the Masonic Hall and Lyric Theatre, the Centennial Hotel is of social significance within Newcastle as a public meeting place in which people could meet and converse. With the large dining areas, it could also be used as a venue for more formal parties and gatherings, including all the local sporting folk and businessmen. It was one of the only hotels that allowed the greater public to rent rooms for functions, not just patrons. Significantly, it was also the local meeting place for the Newcastle Jockey Club for many years, where it was customary to repaint the figure of a jockey that stood there with the recent winners of the Newcastle Cup⁷². In November 1925, the building was renovated, at which point the various functions of the business changed. The Hunter and Scott Street facades were modified at the time⁷³.

The existing Hunter Street façade is highly symmetrical and features Corinthian columns between the windows at first and second level. The ground floor of the building has been modified and is devoid of ornamentation, which is in contrast to the highly decorative parapet. Some of the decoration seen in this façade is similar to examples from the Newcastle East End Precinct, particularly former Washington House building and the Scott's Ltd buildings.

71 "The Centennial Hotel," Newcastle Morning Herald and Miners' Advocate, Tuesday 27 December 1887, Page 6. accessed 23 March 2017 via <http://trove.nla.gov.au/newspaper/article/135982492?searchTerm=centennial%20hotel%20newcastle&searchLimit>

72 Ibid

73 "Lease Sold. Centennial Hotel," The Newcastle Sun, Thursday 26 April 1926, page 7, accessed 23 March 2017 via <http://trove.nla.gov.au/newspaper/article/163769004?searchTerm=centennial%20hotel%20newcastle&searchLimits>

Former Centennial Hotel		Similar	Different
Significance Level	Local	✓	
Period	1888	✓	
Style	Federation Free Classical	✓	
Storeys	Three	✓	
Wall Finish	Rendered	✓	
Façade detailing	Symmetrical facade	✓	
	Corinthian columns	✓	
	Prominent parapet	✓	
	String course detailing	✓	



Figure 167: Photographs of the Centennial Hotel in 1910 (left) and 2009 (right). (Sources: University of Newcastle, Cultural Collections, accessed 23 March via <https://www.flickr.com/photos/uon/3270917698/> and <https://www.flickr.com/photos/uon/4286805176/in/set-72157623239192178/>)

7.1.3. Central Hall

Central Hall is located at 141-147 King Street and is identified as a local heritage item under Schedule 5 of the Newcastle LEP (item no. I426). The building was originally constructed for use by the Methodist Church of Australia and was the primary place of worship for the Church's Newcastle community. It is considered one of the largest church buildings constructed in the Newcastle area and is of an interesting design, employing an internal auditorium style space for worshippers rather than the tradition nave and aisle design⁷⁴.

Central hall is a two-storey red face brick building with rendered details present in the window arches, parapet and friezes. The building was originally designed by architects Chater & Chater although they were later replaced by Pender & Silk as the church was dissatisfied with the original architects work. The building was constructed in 1903 and primarily designed as a base for missionary work to be undertaken⁷⁵.

The primary façade of the building employs a number of classical elements including a central raised pediment, arched openings, string courses and cornices. These classical elements make for an ornate façade that is also highly symmetrical. As the building was not originally constructed for commercial purposes, it has no footpath awning⁷⁶. All these design features can be seen in the aforementioned buildings located within the study area, particularly the Masonic Hall/ Lyrique Theatre.

Central Hall		Similar	Different
Significance Level	Local	✓	
Period	1903	✓	
Style	Federation Free Classical	✓	
Storeys	Two?	✓	
Wall Finish	Face brick	✓	
Façade detailing	Rendered string courses and mouldings	✓	
	Arched openings	✓	
	Symmetrical facade	✓	
	Prominent parapet and pediment	✓	

⁷⁴ State Heritage Inventory form for "Central Hall," database no. 2173949, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2173949>

⁷⁵ Ibid

⁷⁶ Ibid



Figure 168: Contemporary photo of Central Hall showing the foundation date in the pediment. (Source: State Heritage Inventory form for "Central Hall," database no. 2173949, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2173949>)

7.1.4. Commercial Premises/ Offices

Located at 6 Bolton Street are commercial premises/offices that were constructed in 1911 and are listed as local heritage items under the Newcastle LEP (item no. 1361). The building was designed in part by FG Castleden in association with Burcham Clamp. At the time, Bolton Street was known as Courthouse Street as the offices of many of Newcastle's legal firms were located there. Not surprisingly this building was constructed for legal firms and other professions⁷⁷.

The building is noted as being prominently visible from the harbour foreshore due to its height, consisting of six stories, and is therefore considered a landmark building located within a group of buildings dating from a similar period. The narrow frontage may have been a consideration for the increase in the height of the building⁷⁸.

The Bolton Street façade is considered highly ornate and intact with a combination of materials used including face brickwork with stone and rendered details. Alike other examples, the building has a symmetrical façade, a high parapet concealing the roof and occupies the entire site. The ground floor shopfront has also been modified. Unlike other examples, the building features projecting octagonal bay windows that continue through three floors and are centrally placed within the building (similar to the

⁷⁷ State Heritage Inventory form for "Commercial Premises/ Offices," database no. 2173943, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173943>

⁷⁸ Ibid

bay windows seen in the former David Jones corner building). The bay windows are topped by an arched window⁷⁹.

Commercial Premises/ Offices		Similar	Different
Significance Level	Local	✓	
Period	1911	✓	
Style	Federation Free Classical	✓	
Storeys	Six	✓	
Wall Finish	Face brick, rendered and stone	✓	
Façade detailing	Central bay windows		✓
	Parapet concealing roof	✓	
	Arched window	✓	

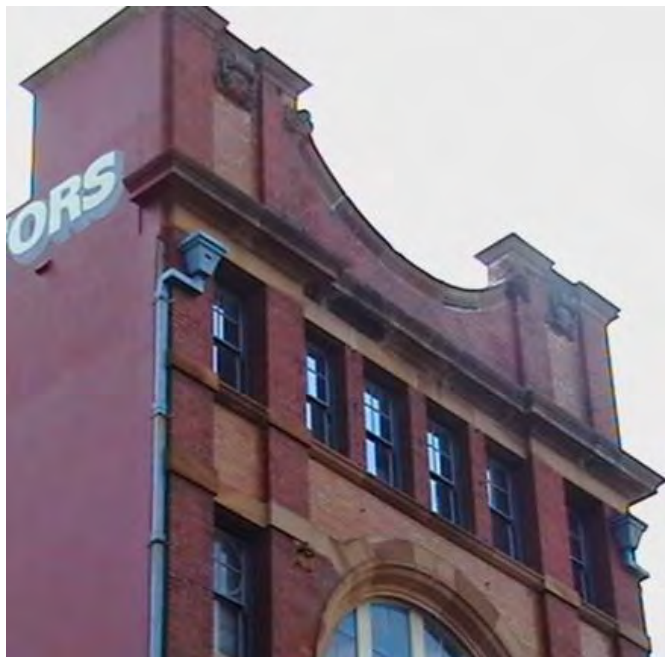


Figure 169: View of the Bolton Street façade of the building (left) and a detailed view of the parapet (right). (Sources: Real Commercial website, accessed 19 April 2017 via <http://www.realcommercial.com.au/property-offices-nsw-newcastle-5303292> and State Heritage Inventory form for "Commercial Premises/ Offices," database no. 2173943, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173943>)

⁷⁹ Ibid

7.1.5. Former Volunteer Fire Station

The former Volunteer Fire Station building is located at 115 King Street and is listed as a local heritage item under the Newcastle LEP (item no. I424). The building was originally designed by Frederick Menkens and has only recently been identified as an example of his work. The building was later altered and as a result, the first storey differs in appearance to the ground floor. The first floor was designed by James Aubrey Kerr while the ground floor is the work of Menkens⁸⁰.

The building is considered one of the oldest fire station buildings extant in Australia and is also one of the only known buildings linked to the volunteer fire brigade. It is also considered a prime example of how 19th century buildings were adapted in the mid-20th century⁸¹.

The two differing development phases are clearly visible in the King Street façade. The ground floor employs red face brick, wide arched openings with rendered moulded detailing in the Federation Free Classical style while the first floor employs blond face brick, angular windows with rendered moulded detailing and a triangular parapet that conceals a corrugated iron gable roof. While the first floor addition is clearly modern, some of the classical motifs seen in the original ground floor facade have been used⁸².

Alike other building examples in the Federation Free Classical style, the former Volunteer Fire Station has a symmetrical façade and has a striking streetscape presentation. The building was later converted to business premises.

Former Volunteer Fire Station		Similar	Different
Significance Level	Local	✓	
Period	Original building dates back to c.1899	✓	
Style	Federation Free Classical (ground floor)	✓	
Storeys	Two	✓	
Wall Finish	Face brick, rendered mouldings	✓	
Façade detailing	Arched openings	✓	
	Symmetrical facade	✓	
	Prominent parapet and pediment	✓	

⁸⁰ State Heritage Inventory form for the "Volunteer Fire Station (Former)," database no. 2173948, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173948>

⁸¹ Ibid

⁸² Ibid



Figure 170: Views of the King Street façade of the former Volunteer Fire Station. Note the differing styles seen in the ground floor and first floor of the building. (Source: State Heritage Inventory form for the "Volunteer Fire Station (Former)," database no. 2173948, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173948>)

7.2. Inter-War Functionalist and Art Deco

There are a number of buildings within the Newcastle East End Precinct that were constructed during the Inter-War period and illustrate the various different architectural and stylistic elements employed in buildings in Newcastle at the time. The following listed and contributory items were constructed during this period:

- 1962 Wolfe Street David Jones annexe (Block 1);
- 153 Hunter Street, Pitt and Merewether (Block 2);
- 14 Thorn Street, 1930s William Jeater (Block 1);
- 151 Hunter Street, Jeater, Rodd and Hay (Block 2);
- 22 Newcomen Street, Inter-War Blackall House (Block 4).

The Inter-War period was a time where construction flourished in Newcastle and various multi-rise commercial buildings were constructed at the time⁸³. As a result, there are a number of Inter-War buildings in the Newcastle CBD and suburban areas in a variety of styles (e.g. Art Deco and Functionalist) that are aesthetically similar to the aforementioned listed and contributory buildings located within the study area. Some similar architectural elements seen throughout the following examples include⁸⁴:

- Asymmetrical massing;
- Simple geometric shapes;
- Columns not emphasised;

⁸³ State Heritage Inventory form for the "AA Dangar Building (Former)," database no. 2170177, accessed 18 April 2017 via, <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2170177>

⁸⁴ Apperly, Richard, et al, "Style Indicators/ Inter-War Functionalist c.1915-1940," and "Style Indicators/ Inter-War Art Deco c.1915-c.1940," A Pictorial Guide to Identifying Australia Architecture: Styles and Terms from 1788 to the Present, HarperCollins Publishers Pty Ltd, Hong Kong, 1994, p.p.186 and 190

- Long horizontal spandrel or balcony;
- Ribbon windows;
- Roof concealed by a parapet;
- Cantilevered balcony or hood;
- Semi-circular wing;
- Rounded corner;
- Metal framed windows;
- Corner window;
- Curved glass;
- Vertical piers or fins;
- Accordion windows;
- Parallel line motif.

The following Inter-War buildings are located within the Newcastle area and are from the same period as the aforementioned Inter-War buildings located in the study area.

7.2.1. Newcastle Light Street Substation

The Newcastle Light Street Substation dates from 1937-1938 and is in the Inter-War Functionalist style. It is listed as a heritage item of local significance (item no. 3430089) on the s.170 NSW State Agency Heritage Register (Ausgrid) under the NSW Heritage Act 1977.

The building employs typical Art Deco features including a projecting parapet, horizontal brick banding, projecting vertical brickwork that extends into the parapet and polychrome brick to the podium, sills, door frame, parapet and intermediate level. The windows are slim and vertical with four small square panes of glass and according to the SHI form for the building the two sliding front entrance doors are of timber. The façade is highly symmetrical and a prominent central entrance⁸⁵.

Little is known about the history of this building however; it sits within a predominately residential area and is set back from the street alignment and therefore is not prominently visible from within the streetscape. This is also due to a neighbouring residential flat building, which dominates the streetscape and two trees planted directly in front of the building.

This building shares similarities with Blackall House in its form and brickwork, 153 Hunter Street in its vertical brick detailing and windows, 151 Hunter Street in the horizontal application of bricks, and the David Jones Wolfe Street annex in the use of horizontal brickwork.

Newcastle Light Street Substation		Similar	Different
Significance Level	Local	✓	
Period	Inter-War, 1937-1938	✓	
Style	Art Deco and Functionalist	✓	
Storeys	Single storey?		✓
Wall Finish	Polychromatic brick	✓	

⁸⁵ State Heritage Inventory form for the "Newcastle Light Street Substation," database no. 3430089, accessed 13 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=3430089>

Newcastle Light Street Substation		Similar	Different
Façade detailing	Horizontal and vertical brick banding	✓	
	Parapet	✓	



Figure 171: Undated recent photograph of the Newcastle Light Street Substation. (Source: State Heritage Inventory form for the "Newcastle Light Street Substation," database no. 3430089, accessed 13 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=3430089>)

7.2.2. Brooklyn Court

Brooklyn Court is a residential flat building located at 6 Tooke Street, Bar Beach and identified as a heritage item of local significance under Schedule 5 of the Newcastle LEP 2012 (item no. I33).

Brooklyn Court is a two-storey building with painted external walls that were originally of face brick, most likely with polychromatic brick detailing. While in the Art Deco style, this building has some classical architectural elements. It is highly symmetrical, surmounted by a hipped roof and features a slightly

projecting section to the centre of the Tooke Street façade. The windows are all double hung in vertical orientation and the ground floor windows have been partially modified to include fly screens. Located underneath the eaves of the roof is a cornice that runs along the roofline of all four facades of the building. Visible externally to the rear is a chimney and fireplace Brest⁸⁶.

Unlike the Inter-War buildings located within the Newcastle East End Precinct, this building has retained little detailing, has a prominent roof that is not hidden behind a parapet and the brick has been painted, which hides the original face brick pattern. In addition, as the building is located within a residential area, it is set back, has a front garden and the site is bounded by a low brick fence, which has also been painted.

Brooklyn Court		Similar	Different
Significance Level	Local	✓	
Period	Inter-War	✓	
Style	Art Deco	✓	
Storeys	Two	✓	
Wall Finish	Painted face brick		✓
Façade detailing	Symmetrical facade	✓ (153 and 151 Hunter Street, Blackall House)	
	External cornice along roofline		✓
	Prominent roof not concealed behind a parapet	✓ (Blackall House)	



Figure 172: Photograph of the Tooke Street façade (left) and the rear of the building (right) showing the continuation of the roofline cornice, double hung windows and fireplace to the rear. (Source: PRF Nationwide website, accessed 14 April 2017 via <http://prdnewcastle.com.au/9945983>)

⁸⁶ State Heritage Inventory form for "Brooklyn Court," database no. 2170699, accessed 13 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2170699>

7.2.3. St Hildas' Hostel/ The Abbey (Former)

The former St Hildas' Hostel/ The Abbey building is located at 250 Darby Street, Cooks Hills, and is identified as a local heritage item under Schedule 5 of the Newcastle LEP (item no. 182). It originally opened as St Hildas' Hostel in October 1925 as the former St Hildas' premises were considered inadequate, serving as accommodation for country girls working in Newcastle.

The original building was designed by Mr JW Oldman and was a two-storey building with timber joinery, window hoods, timber front picket fence and lynch gate. The building was modified in 1981 to convert the building into the Bishop's Registry for the administrative headquarters of the Anglican Diocese of Newcastle. This resulted in changes to the exterior and conversion of some accommodation areas into office spaces. It was later changed again when converted into a private doctor's surgery and residence. The face brick façade was recently cement rendered and painted⁸⁷.

St Hilda's Hostel/ The Abbey		Similar	Different
Significance Level	Local	✓	
Period	1925	✓	
Style	Inter-War	✓	
Storeys	Two	✓	
Wall Finish	Face brick		✓
Façade detailing	Timber window hoods		✓
	Symmetrical facade	✓	
	Double hung windows	✓	



Figure 173: An undated view of the original building prior to cement rendering (left) and a 2015 view showing the cement rendered façade (right). (Sources: State Heritage Inventory form for 'St Hildas' Hostel/ The Abbey (Former),' database no. 2173918, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173918> and Google Street View, June 2015, accessed 18 April 2017 via <https://www.google.com.au/maps/@-32.9347579,151.768686,3a,48.8y,352.14h,91.79t/data=!3m6!1e1!3m4!1s3dyEyGifwUghfeGRf6dyyw!2e0!7i13312!8i6656!6m1!1e1>)

⁸⁷ State Heritage Inventory form for 'St Hildas' Hostel/ The Abbey (Former),' database no. 2173918, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2173918>

7.2.4. Nesca House

Nesca House is listed as a local and State heritage item and is located at 300 King Street in Newcastle. The building was designed by architect Emil Sodersten in association with Pitt and Mereweather in 1937-1939 and is a highly ornate example of the Functionalist and Art Deco styles.

The building is considered to be evidence of the shift in Newcastle during the Inter-War period from a coal port to an industry city⁸⁸. The building was originally constructed to house Council's Electricity Department, which had outgrown its previous offices in Newcastle City Hall. The architects focused on creating a new building that was modern, to reflect the purpose of the building, while also complimenting the existing Town Hall building, which was constructed in 1929 to a design by architecture HE White. The resultant design employs a heavy streamlined form with strong Functionalist elements including horizontal bands of ribbon windows, rounded corners, a grand entrance, vertical piers, and an asymmetrical form comprising of various geometric shapes⁸⁹.

The building has endured slight modifications including in 1979 when the original curved glass front windows were replaced due to a water leak and in 1989 some damage was caused to the building following an earthquake. The building is currently used as administrative premises for the University of Newcastle⁹⁰.

The Nesca House building shares similarities with both the David Jones Wolfe Street annexe and the building located at 153 Hunter Street. In the first instance, the Functionalist elements seen in Nesca House including the rounded corners, ribbon windows and prominence given to the central entrance, can all be seen in the David Jones Wolfe Street annexe, although on a smaller scale. In contrast, the building at 153 Hunter Street employs vertical design features and piers to create a striking corner building. The verticality of the central entrance to Nesca House employs similar design features on a larger scale.

Nesca House, 300 King Street		Similar	Different
Significance Level	State	✓	
Period	Inter-War, 1937-1939	✓	
Style	Inter-War	✓	
Storeys	Possibly five		✓
Wall Finish	Sandstone		✓
Façade detailing	Ribbon windows	✓	
	Rounded corners	✓	
	Vertical piers to entrance	✓	

⁸⁸ State Heritage Register form for "Nesca House," database no.5045739, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045739>

⁸⁹ Ibid

⁹⁰ Ibid



Figure 174: Undated photographs of Nesca House showing the ribbon windows and rounded corners (left) and vertical piers above the entrance (right). (Source: State Heritage Register form for "Nesca House," database no.5045739, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045739>)

7.2.5. Newcastle Ocean Baths

The Newcastle Ocean Baths are located at 30 Shortland Esplanade, Newcastle East, and are located prominently along the coastline of Newcastle. The building is identified as a heritage item of local significance under Schedule 5 of the Newcastle LEP (item no. I489).

The building was originally constructed in 1911 to a design produced by City Engineer LB Blackwell. The original design was in the Federation Stripped Classical style, which was later modified in 1922 by Castleden and Pitt and Merewether Architects to reflect the Art Deco style. As a result, the building's main façade to Shortland Esplanade is an unusual combination of the two styles⁹¹.

As a bathing pavilion, the Newcastle Ocean Baths building presents as a sprawling horizontal building with vertical piers intermittently placed between windows and at certain junctures. The building is highly symmetrical with a prominent central entrance and a high towering parapet.

Newcastle Ocean Baths		Similar	Different
Significance Level	Local	✓	
Period	Federation and Inter-War	✓ (153 and 151 Hunter Street, 14 Thorn Street)	
Style	Federation Stripped Classical and Art Deco	✓	
Storeys	Two	✓	
Wall Finish	Rendered	✓	
Façade detailing	Vertical piers	✓	
	Prominent parapet concealing the roof	✓	
	Horizontality	✓	

⁹¹ State Heritage Inventory form for "Newcastle Ocean Baths," database no. 2170252, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2170252>



Figure 175: Newcastle Ocean Baths showing the Shortland Esplanade façade. (Source: State Heritage Inventory form for "Newcastle Ocean Baths," database no. 2170252, accessed 18 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2170252>)

7.3. Victorian Free Classical

Prior to the development of the Federation Free Classical style, the adaption of classical styles was underway in the period prior. The style was particularly employed in commercial and civic buildings such as banks, shops, theatres, hotels, town halls and post offices and sought to break free from the restrained detail used in the Georgian and Regency styles. As described by Apperly et al,

*"...Just as Victorian Free Gothic became the all-purpose style for buildings having the remotest links with medievalism, so Victorian Free Classical was employed whenever a veneer of respectability and 'class' was deemed necessary."*⁹²

According to Apperly et al, the Victorian Free Classical style and the Federation Free Classical style overlapped and the difference in name predominately reflects the changing periods in which the styles were used⁹³.

As previously detailed, Frederick B Menkens was a practitioner in the Federation Free Classical style during the early 20th century, however, during the mid to late 19th century he also worked in the Victorian Free Classical style. The building located at 111 Hunter Street was constructed in c.1890 and is identified as being in the Victorian Free Classical style. It has been attributed to Menkens, although historical research to date could not verify this.

⁹² Apperly, Richard, et al, "Victorian Free Classical c.1840-c.1890," A Pictorial Guide to Identifying Australia Architecture: Styles and Terms from 1788 to the Present, HarperCollins Publishers Pty Ltd, Hong Kong, 1994, p.p 56-59

⁹³ Ibid

Regardless, there are a number of examples located within the Newcastle area that directly reflect the character and style of 111 Hunter Street and are considered very similar in appearance.

7.3.1. Former Municipal Building

The former Municipal Building located at 164-170 Hunter Street was constructed in 1884 and is identified as a local heritage item under Schedule 5 of the Newcastle LEP (item no. 1406).

During the 19th and early 20th centuries, a number of municipal buildings were constructed by the Newcastle Borough Council for various purposes, most often rented out as commercial premises. The former Municipal Building located on the corner of Market and Hunter Streets was constructed in 1884 and designed by architect P. Bennett in the Victorian Free Classical Style (Stewart Keightley as Mayor of Newcastle at the time)⁹⁴.

The building consists of three stories, has a rendered brick façade, and is considered one of several early developments undertaken by Newcastle Borough Council. As the building is located on a prominent corner block, it originally included a splayed entrance and entrances to Hunter Street and former Market Street.

The ground floor shopfronts have been modified and the original awning and first floor balcony have since been removed. However, the first and second levels remain relatively intact externally and feature double hung windows at first floor level surrounded by decorative mouldings and arched double hung windows to the second floor. Intermittently within the façade are vertically rendered detailing and the roof is concealed behind a tall parapet and balustrade. The parapet on the corner and centrally within the Hunter Street façade details the architects name, erection date and original use of the building.

While some ornamentation can be seen in 111 Hunter Street, this building is highly ornate and on a grander scale.

The building is currently used as the temporary headquarters for Renew Newcastle⁹⁵.

Buchanan Terraces		Similar	Different
Significance Level	Local	✓	
Period	Late-Victorian	✓	
Style	Victorian Free Classical	✓	
Storeys	Three		✓
Wall Finish	Rendered brick	✓	
Façade detailing	Corner block	✓	
	Balustrade parapet		✓
	Vertical rendered detailing		✓

⁹⁴ "Stewart Keightley (1847-1907), Newcastle Coal Mining Company Manager, Major of Newcastle," The University of Newcastle website People and Places, accessed 22 March 2017 via <http://www.coalandcommunity.com/stewart-keightley.php>

⁹⁵ "Renew Newcastle HQ (Municipal Building)," Renew Newcastle website, accessed 22 March 2017 via <http://renewnewcastle.org/projects/project/renew-newcastle-hq-municipal-building/>



Figure 176: Image of the former Municipal Building in 1891 (left) & a contemporary image of the building (right). (Sources: University of Newcastle Cultural Collections, accessed 27 April 2017 via <https://www.flickr.com/photos/uon/3964532757/in/photostream/> and Google Street View February 2017, accessed 27 April 2017 via <https://www.google.com.au/maps/@-32.9270385,151.7810626,3a,75y,322.55h,95.58t/data=!3m6!1e1!3m4!1sPqfF9NDgxU1rStHJaqhWBQ!2e0!7i13312!8i6656>)

7.3.2. Municipal Building

In 1890 another Municipal building was constructed by the Newcastle Borough Council at 122-132 Hunter Street. The building is in the Victorian Free Classical style and is listed as a heritage item under Schedule 5 of the Newcastle LEP (item no. I404)⁹⁶.

Alike the previous example, this building consists of three stories and originally included a first floor balcony, which has since been removed. In addition, the ground floor shopfronts have been modified. The building is also located on a prominent corner site and is an important contributor to the character of the streetscape. The façade is of rendered brick and includes string course detailing to the parapet, decorative fan detailing above first floor windows and Corinthian columns in between windows on the second floor.

This building is aesthetically and stylistically very similar to the building located at 111 Hunter Street, although has slightly more detailing to the first floor level and is marginally larger.

Borough Building	Municipal		Similar	Different
Significance Level	Local		✓	
Period	1890		✓	
Style	Victorian Free Classical		✓	
Storeys	Three		✓	
Wall Finish	Rendered brick		✓	
Façade detailing	Corner site		✓	
	String course		✓	
	Column detailing		✓	

⁹⁶ State Heritage Inventory form for "Municipal Building," database no. 2170193, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2170193>

Borough Building	Municipal		Similar	Different
		Fan moulding above first floor windows		✓



Figure 177: Corner view of the former Municipal building located at 122-132 Hunter Street. (Source: State Heritage Inventory form for "Municipal Building," database no. 2170193, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=2170193>)

7.3.3. Former Emporium Building

The former Emporium building is located 87-101 Hunter Street, directly across the street from the aforementioned Municipal building. It is identified as a heritage item under Schedule 5 of the Newcastle LEP (item no. I399).

This building shares many similarities with 111 Hunter Street as the façade is of rendered brick, the building is located on a corner site, consists of three stories, has a string course parapet concealing the roof and Corinthian columns in between the windows on the second floor. It is also very similar to the previous example.

Emporium Building		Similar	Different
Significance Level	Local	✓	
Period	c.1890	✓	
Style	Victorian Free Classical	✓	
Storeys	Three	✓	
Wall Finish	Rendered brick	✓	

Emporium Building		Similar	Different
Façade detailing	Corner site	✓	
	String course	✓	
	Column detailing	✓	



Figure 178: Corner view of 87-101 Hunter Street. (Source: State Heritage Inventory form for, "Emporium Building (Former)," database no. 2171715, accessed 19 April 2017 via <http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?id=2171715>)

7.4. Conclusion

All sites examined above show similarities with the buildings located within the Newcastle East End Precinct. While there are examples that employ the same styles as seen in the buildings located within the study area, collectively there is no one site that is considered to directly reflect the construction phases and character of the Newcastle East End Precinct. As such, the Newcastle East End Precinct, as a whole, is considered to be a rare grouping of buildings dating from the late 19th and early 20th centuries, illustrating the significance and subsequent decline in importance of Hunter Street as the main commercial centre of Newcastle.

Individually, the heritage listed and contributory items located within the Newcastle East End Precinct are considered to be representative examples of their period at local level.

8. ASSESSMENT OF THE CULTURAL SIGNIFICANCE

8.1. Basis of Assessment

In assessing the cultural significance of a place it is necessary to adequately research and consider all the information relevant to an understanding of the place and its fabric. The Burra Charter (2013) defines the cultural significance as being “aesthetic, historic, scientific or social value for past, present or future generations”.

The assessment of cultural significance is undertaken because it is necessary to understand the values of a heritage item before making decisions about the future of the item. This then leads to decisions that will retain these heritage values in the future.

The ‘Statement of Significance’ indicates what heritage values of a place should be conserved, and is used as a basis for the formulation of specific guidelines for the development of conservation policies of a place. The Conservation Plan by J. S. Kerr (seventh edition, 2013, published online by Australia ICOMOS), considers the following three criteria as a useful starting point in assessing the nature of significance:

- ability to demonstrate a process, a custom or style;
- associational (historic) links for which there is or is not surviving physical evidence; and
- formal or aesthetic qualities.

The following assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the NSW Heritage Manual ‘Assessing Heritage Significance’ guidelines.

8.2. State Historical Themes

The NSW Heritage Office developed a thematic framework for use in heritage assessment and management. It was thought that thinking about a place in terms of themes can help understand its significance. The organising principle for the thematic framework is the dynamism of human activity. This Framework identifies thirty-eight principal themes.⁹⁷

The historical development of an area or item can be understood as occurring in a thematic way, with different layers representing progressively earlier themes.⁹⁸ In the case of the Newcastle East End Precinct, there are numerous State themes reflected at the local level which relate to the foundation and development of the site. The table below describes these themes.

Australian Theme	NSW Theme	Comment
3. Developing local, regional and national economies	Commerce - Activities relating to buying, selling and exchanging goods and services	The study area is located within the original heart of the city of Newcastle. It developed during the 19th century as the main commercial centre, with Hunter Street as the main retail strip for the city. Of particular note is the former David Jones building, which was originally constructed as the Scott's Ltd store before acquired by David Jones in 1957.
3. Developing local, regional and	Events - Activities and processes that mark the	The early settlement of Newcastle was susceptible to flooding, causing damage to original building fabric. Reclamation of the harbour occurred to the north in order to try and

⁹⁷ NSW Heritage Manual, Assessing Heritage Significance, 2000, p.2

⁹⁸ Ibid.

Australian Theme	NSW Theme	Comment
national economies	consequences of natural and cultural occurrences	alleviate this problem. The built fabric present in the study area dates from the mid-late 19th century
4. Building settlements, towns and cities	Towns, suburbs and villages - Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	The Newcastle East End Precinct is evidence of the early planning of the town of Newcastle. It was originally designated as the centre of Newcastle, with Blocks B to D originally designated for use as a market square.
7. Governing	Government and administration - Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities	The former Municipal building located on Block 3 is evidence of the activities of the Newcastle Borough Council, in particular the construction works they undertook in the late 19th century. It is one of a few Municipal buildings constructed at the time on Council land, as commercial premises for rent.
8. Developing Australia's cultural life	Creative endeavour - Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretative or inventive works; and/ or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Located in the study area is the Lyrique Theatre, which served as a theatre and cinema site for several decades before closing. In addition, Blackall House was used as a community hall for hire and various recitals and plays were held in the hall. The site of the Market Square Shopping centre was formerly occupied by The Strand Theatre, which operated from 1916 until 1980.
8. Developing Australia's cultural life	Leisure - Activities associated with recreation and relaxation	As above, the Lyrique Theatre and Blackall House held many community events throughout the years.
8. Developing Australia's cultural life	Religion - Activities associated with particular systems of faith and worship	Located at 3 Morgan Street is a church building that was previously known as the St Mark's Catholic Church (from 1970s) and is currently known as the Calvary Chapel.
8. Developing Australia's cultural life	Social institutions - Activities and organisational arrangements for the provision of social activities	The Masonic Hall was developed as a community hall where social gatherings and events could be held for Newcastle's Lodge Harmony. This function continued up until c.2007 when the building was sold to the GPT Group.

Australian Theme	NSW Theme	Comment
		Blackall House was also constructed as a social and community hall, as a meeting place for the Deaf and Dumb Society of Newcastle.
9. Marking the phases of life	Persons - Activities of, and associations with, identifiable individuals, families and communal groups	The buildings located within the Newcastle East End Precinct are associated with numerous local individuals including William Scott, Henry Dangar, Harry "Henry" Charleston, Major Bolton, Mrs Ruby Blackall, among many others.

8.3. Assessment Criteria

a) an item is important in the course, or pattern, of the local area's cultural or natural history

The Newcastle East End Precinct is an important site that directly reflects the history of Newcastle. It is predominately associated with the early development of the city of Newcastle and the subsequent subdivision and development that occurred in response to the changing needs of the community during the late 19th and early 20th centuries.

The buildings present within the study area reflect the changes that were required to the existing built fabric in light of flooding issues experienced and to accommodate the growing population and development of Newcastle as a main port during the 19th century. The Precinct is also evidence of Hunter Street developing as the main commercial centre and reflects the various commercial, community, business and religious interactions that have occurred in the area since the early 19th century.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ shows evidence of a significant human activity	✓	▪ has incidental or unsubstantiated connections with historically important activities or processes	X
▪ is associated with a significant activity or historical phase	✓	▪ provides evidence of activities or processes that are of dubious historical importance	X
▪ maintains or shows the continuity of a historical process or activity	✓	▪ has been so altered that it can no longer provide evidence of a particular association	X

b) an item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history

The Newcastle East End Precinct is associated with various early land owners and prominent members of Newcastle society including Henry Dangar, William Scott, Harry "Henry" Charleston, Major Bolton, Mrs Ruby Blackall, among many others who all contributed to the existing street and allotment patterns and built fabric present within the study area.

The Precinct also has a strong association with the Australian retail firm David Jones, which occupied the majority of buildings located within Block A for several decades before vacating in 2011. Other local and Australian business associations within the study area include Scott's Ltd, Potter & Co, Mick Simmons, Charleston's Photographic Studio, Soul Pattinson and Fletcher Jones.

In addition, a number of the buildings located within the study area were designed by prominent local architects of the time including Frederick B Menkens, FG Pepper, Jeater, Rodd, Bennet and Yeomans, Pitt and Merewether and Thomas W Silk.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ shows evidence of a significant human activity	✓	▪ has incidental or unsubstantiated connections with historically important activities or processes	X
▪ is associated with a significant activity or historical phase	✓	▪ provides evidence of activities or processes that are of dubious historical importance	X
		▪ has been so altered that it can no longer provide evidence of a particular association	X

c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area

Located within the Newcastle East End Precinct are a number of buildings that date from the late 19th and early 20th century development of Newcastle, reflecting a key period of development for the city. As such, there are numerous buildings that are considered of exceptional aesthetic significance for the contribution they make to the streetscape and area generally.

Of particular note are the various buildings that are representative of the Victorian and Federation Free Classical Styles, Inter-War Art Deco and Functionalist styles including the former David Jones buildings, Masonic Hall/ Lyrique Theatre, and the former Municipal Building of which all three are already identified as heritage items with a number of contributory buildings scattered within the Precinct. The Municipal Building contributes to the overall architectural character of the Hunter Street Mall as an interesting example of an Edwardian commercial building despite the alterations and additions made to its exterior and interiors.

There are some buildings within the study area that date from a later period of development and are not considered of particular aesthetic significance for example 66-74 King Street and the Calvary Chapel located at 3 Morgan Street. However, the listed heritage buildings and identified contributory buildings collectively and individually are considered of a landmark quality and contribute to the historic character of the Hunter Street Mall and Newcastle generally.

The street pattern of the Newcastle East End Precinct reflects various significant stages in the planning and development of the study area, particularly the original establishment of the study area as the centre of town, with the Market Place at its centre. Subsequent subdivision has resulted in smaller allotment sizes, resulting in the construction of buildings with direct frontages within the streetscape, giving them visual prominence. Collectively the buildings located within the Newcastle East End Precinct therefore have a striking streetscape appearance, particularly when viewed from within Hunter Street. The topography of the study area also contributes to this.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ shows or is associated with, creative or technical innovation or achievement	✓	▪ is not a major work by an important designer or artist	X
▪ is the inspiration for a creative or technical innovation or achievement	✓	▪ has lost its design or technical integrity	X
▪ is aesthetically distinctive	✓	▪ its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	X
▪ has landmark qualities	✓	▪ has only a loose association with a creative or technical achievement	X

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ exemplifies a particular taste, style or technology	✓		

d) an item has strong or special associations with a particular community or cultural group in the local area for social, cultural or spiritual reasons

The Newcastle East End Precinct has a strong connection to the residents of Newcastle, having served as the main commercial and retail centre for the city since the early 19th century. While the importance of the area as a retail centre has declined within recent years, Hunter Street is still considered the primary shopping street in Newcastle.

In addition to the retail operations that have occurred within the Newcastle East End Precinct, there are also a number of community, religious and recreational functions associated with the study area. This includes the Masonic Hall/ Lyrique Theatre, which is considered a unique building, having served as two community facilities. The Masonic Hall originally operated as a Masonic community facility and held various functions of interest, this community connection was further expanded when its joint function was created and it also became the Lyrique Theatre.

Other community associations of note include the establishment of the Adult Deaf and Dumb Society of Newcastle's "Blackall House" in Newcomen Street, the continuous use of 3 Morgan Street as a religious organisation since the 1970s and the use of many buildings within the area by Renew Newcastle and local artists, in an attempt to rejuvenate the city centre within recent years.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ is important for its associations with an identifiable group	✓	▪ is only important to the community for amenity reasons	X
▪ is important to a community's sense of place	✓	▪ is retained only in preference to a proposed alternative	X

e) an item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history

The study area has some potential to yield information that will contribute to an understanding of the local area's cultural or natural history. Further archaeological investigation should be undertaken to ascertain the potential for archaeology in the study area, however, given that there are some allotments that date from the early development of the area, early commercial developments are considered to have some potential.

However, street upgrade works have continuously been conducted on the study area, which has significantly reduced the amount of original infrastructure fabric along the street and footpath, with only some original sandstone retaining walls are present within King and Wolfe Streets.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ has the potential to yield new or further substantial scientific and/or archaeological information	✓	▪ has little archaeological or research potential	X
▪ is an important benchmark or reference site or type	✓	▪ only contains information that is readily available from other resources or archaeological sites	X

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> provides evidence of past human cultures that is unavailable elsewhere 	✓	<ul style="list-style-type: none"> the knowledge gained would be irrelevant to research on science, human history or culture 	X

f) an item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history

The Newcastle East End Precinct has a high concentration of building fabric dating from the late 19th and early 20th century development of the city of Newcastle, an important period of development that reflects the prominence of Newcastle at the time and the development that occurred to accommodate and service the local population.

The overall street pattern is also considered unique to the area, having developed over a number of years in response to the growing needs of the area. Some areas have endured very little changes and reflect subdivision patterns from the turn of the 20th century. As such, the built fabric dating from this period and from the Inter-War period is considered unique, particularly considering the high concentration of buildings dating from this significant period.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
<ul style="list-style-type: none"> provides evidence of a defunct custom, way of life or process 	✓	<ul style="list-style-type: none"> is not rare 	
<ul style="list-style-type: none"> demonstrates a process, custom or other human activity that is in danger of being lost 	✓	<ul style="list-style-type: none"> is numerous but under threat 	X
<ul style="list-style-type: none"> shows unusually accurate evidence of a significant human activity 	✓		
<ul style="list-style-type: none"> is the only example of its type 	✓		
<ul style="list-style-type: none"> demonstrates designs or techniques of exceptional interest 	✓		
<ul style="list-style-type: none"> shows rare evidence of a significant human activity important to a community 	✓		

g) an item is important in demonstrating the principal characteristics of a class of the local area's

- **cultural or natural places; or**
- **cultural or natural environments**

The Newcastle East End Precinct is indicative of the pattern and commercial growth that occurred in the city of Newcastle following the development of Dangar's plan in 1823. The study area is indicative of the growing need for retail developments during the late 19th and early 20th century and the gradual development of Newcastle as a main port and one of the largest cities in NSW.

Guidelines for Inclusion	✓/X	Guidelines for Exclusion	✓/X
▪ is a fine example of its type	✓	▪ is a poor example of its type	X
▪ has the principal characteristics of an important class or group of items	✓	▪ does not include or has lost the range of characteristics of a type	X
▪ has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity	✓	▪ does not represent well the characteristics that make up a significant variation of a type	X
▪ is a significant variation to a class of items	✓		
▪ is part of a group which collectively illustrates a representative type	✓		
▪ is outstanding because of its setting, condition or size			
▪ is outstanding because of its integrity or the esteem in which it is held			

8.4. Statement of Cultural Significance

The following Statement of Significance has been prepared by CPH in light of the Assessment of Significance conducted under Section 8.3 above:

The Newcastle East End Precinct is of local significance as an important site that is associated with the early development of the city of Newcastle and the subsequent subdivision and development that occurred in response to the changing needs of the town during the late 19th and early 20th centuries.

The buildings present within the study area reflect the changes that were required to the existing built fabric in light of flooding issues experienced and to accommodate the growing population and development of Newcastle as a main port during the 19th century. The Precinct is also evidence of Hunter Street developing as the main commercial centre and reflects the various commercial, community, business and religious interactions that have occurred in the area since the early 19th century.

Many of the buildings within the study area date from this key period of development and are considered of exceptional aesthetic significance for the contribution they make to the streetscape and area generally. There is a high concentration in the study area of building fabric dating from the late 19th and early 20th century development of the city of Newcastle. Of particular note are the various buildings that are representative of the Victorian and Federation Free Classical Styles, Inter-War Art Deco and Functionalist styles including the former David Jones buildings, Masonic Hall/ Lyrique Theatre, and the former Municipal Building of which all three are already identified as heritage items with a number of contributory buildings scattered within the Precinct.

The Municipal Building contributes to the overall architectural character of the Hunter Street Mall as an interesting example of an Edwardian commercial building despite the alterations and additions made to its exterior and interiors.

In addition, the street pattern of the Newcastle East End Precinct is considered unique and reflects various significant stages in the planning and development of the study area, particularly the original establishment of the study area as the centre of town, with the Market Place at its centre. Collectively the buildings have a striking visual presence and positively contribute to the streetscape, particularly when viewed from within Hunter Street. Some areas have endured very little change and reflect subdivision patterns from the turn of the 20th century with surviving 1870s and 1880s infrastructure including sandstone walls and steps along Wolfe and King Streets.

Due to its size, the Newcastle East End Precinct is associated with numerous early land owners, prominent members of Newcastle society and local architects including Henry Dangar, William Scott, Harry "Henry" Charleston, Major Bolton, Mrs Ruby Blackall, Frederick B Menkens, FG Pepper, Jeater, Rodd, Bennet and Yeomans, Pitt and Merewether and Thomas W Silk, among many other individuals. It is also associated with locally established and larger Australian businesses including Scott's Ltd, Potter & Co, Mick Simmons, Charleston's Photographic Studio, Soul Pattinson and Fletcher Jones. Of particular note is the study area's association with leading retailers Scott's Ltd and David Jones, both of which occupied Block 1 for many decades.

The Newcastle East End Precinct has a strong connection to the residents of Newcastle, having served as the main commercial and retail centre for the city since the early 19th century. While the importance of the area as a retail centre has declined within recent years, Hunter Street is still considered the primary shopping street in Newcastle. The study area has also served as the centre for various community, religious and recreational functions associated with the Masonic Hall/ Lyrique Theatre, Blackall House and various other buildings as part of the Renew Newcastle project.

The Newcastle East End Precinct is indicative of the pattern of commercial growth that occurred in the city of Newcastle following the development of Dangar's plan in 1823. The study area is also indicative of the growing need for retail developments during the late 19th and early 20th century and the gradual development of Newcastle as one of the largest cities in NSW.

8.5. Level of Significance

The NSW Heritage Manual 'Assessing Heritage Significance' guidelines describe the items or places of state significance as being significant to the people of NSW. The local significant is described as being significant to the people of local area.

In conclusion, the Newcastle East End Precinct, as a whole, holds a Local level of cultural significance in terms of historic, aesthetic, technical and social significance. Refer to Appendix F for full scale of the Significance ranking plans for Blocks 3 & 4, and each level of the Municipal Building included in the following sections.

Levels of Significance Table

NSW Heritage Assessment Criteria		Level of Significance
Criteria (a)	Historic	Local
Criteria (b)	Historic Association	Local
Criteria (c)	Aesthetic	Local
Criteria (d)	Social	Local
Criteria (e)	Scientific/Archaeological	Local
Criteria (f)	Rare	Local
Criteria (g)	Representative	Local

Significance ranking plan Blocks 3 & 4

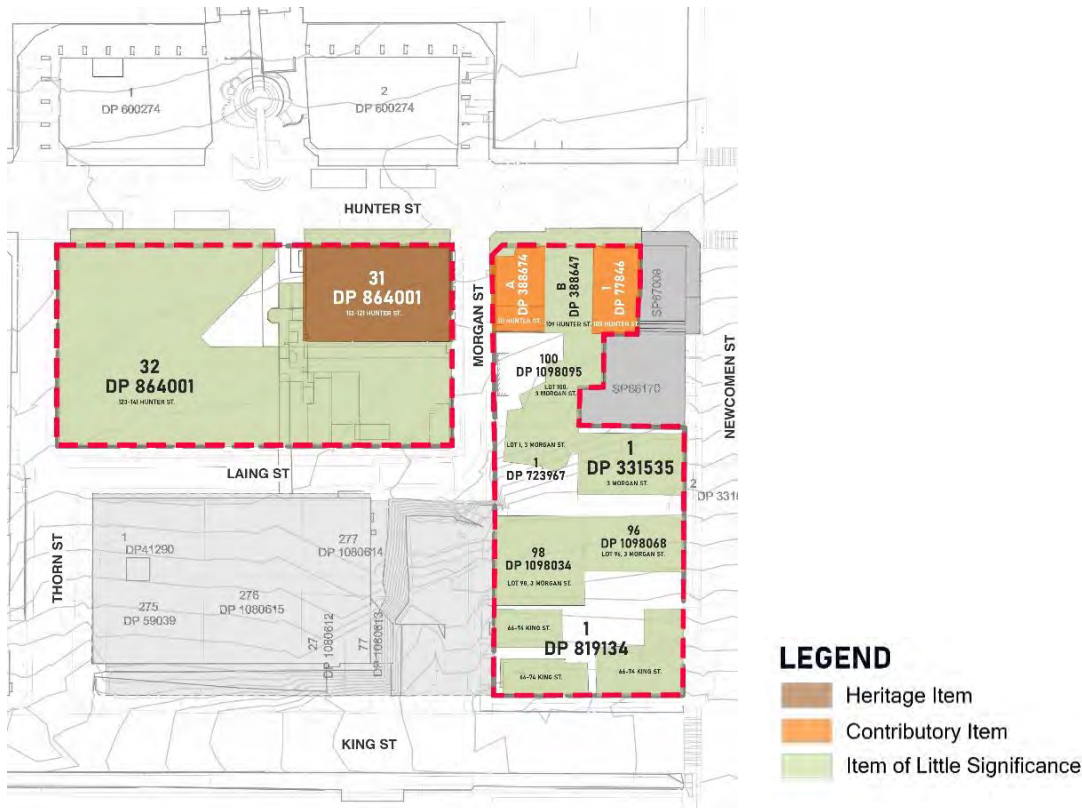


Figure 179: Significance ranking of buildings located within Blocks 3 & 4 indicated by dashed red boundary lines (Source: City Plan Heritage over base plan by PTW Architects)

8.6. Ranking of Significance of Individual Areas and Elements

8.6.1. Basis of Ranking

The significance of the individual elements of the complex has been assessed and ranked to enable decisions on the future conservation and development of the site. The ranking has been based on the demonstrative ability of the existing fabric and its intactness or evocative quality. The specific areas and the individual elements such as walls, doors and windows are all ranked based on significance.

Ranking of the individual components of the Newcastle East End Precinct have been made as below:

Exceptional	Rare or outstanding element directly contributing to an item's local and State significance. High degree of intactness and original fabric association with early construction period.
High	High degree of intactness and original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.
Moderate	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.
Little	Alterations detract from significance. Difficult to interpret.

Neutral	New fabric associated with present use and does not detract from significance.
Intrusive	Later fabric or alteration which obscures or detracts from significant fabric or the overall significance of an item.

8.6.2. Schedule of Significant Elements

The following plan identifies the significance ranking for each building component in relation to each built element's established heritage significance.

It should be noted that the grading of significance shown on the following plan is not exhaustive and it should be read in conjunction with the following table, assessing fabric in relation to their intactness.

Some elements may have a double ranking, one for being architecturally significance and one for fabric condition.

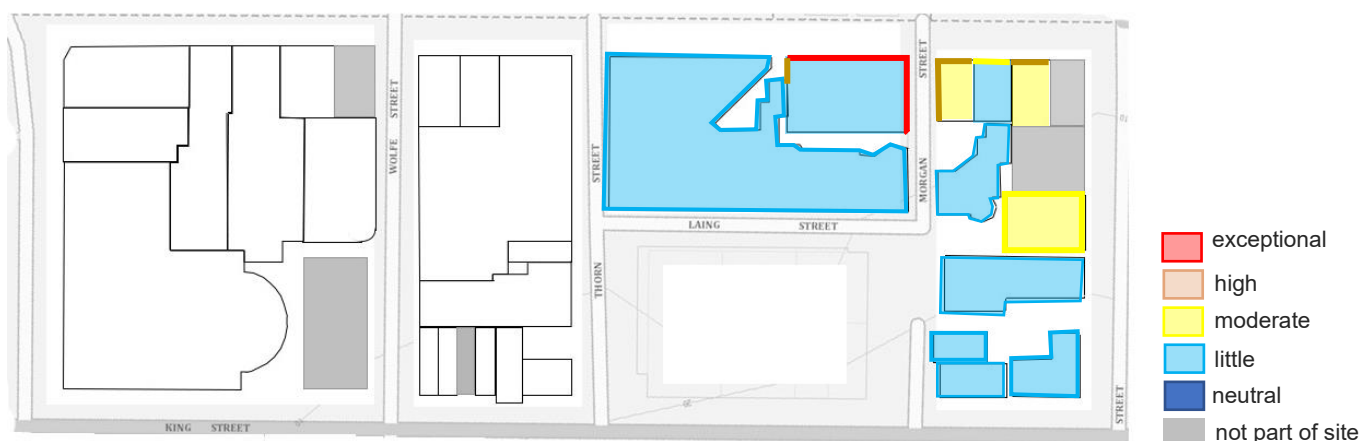


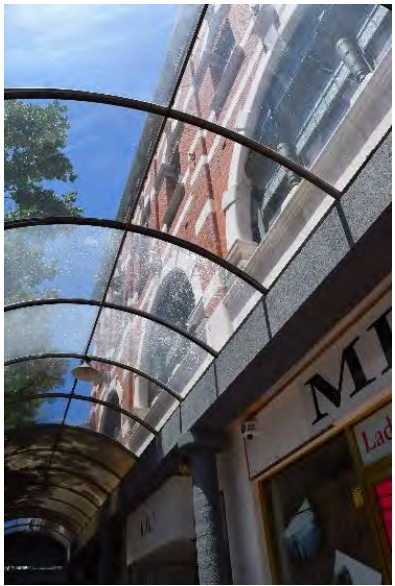
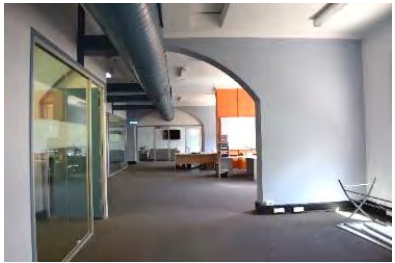




Figure 180: General site plan showing the overall significance ranking of each built element present within Blocks 3 and 4 of the Newcastle East End Precinct. The ranking on this plan does not reflect the individual walls or the facades of the Municipal Building (the Heritage Item) rather it relates to the overall significance of the building while the remainder ranking for Contributory buildings reflect their respective street facades. Refer to Section 8.6.3 for detailed significance ranking of each building.

8.6.3. Table of Significance



The following tables explore each built element separately. Interiors of the contributory buildings have been ranked as being of Moderate significance where access could not be obtained to allow for adequate mitigation of surviving any original fabric through archival recording prior to any works undertaken. In addition, only heritage and contributory buildings are identified below (to be read in conjunction with Figure 180).




Block 3

Building/ Element	Site	Significance	Commentary	Photo
Former Municipal Building façades 113-121 Hunter Street		Exceptional (north, east & northern part of west elevation)	The principal façades of the former Municipal building is externally considered as an exceptional example of a building designed in the Federation Free Classical style with high level integrity of Hunter and Morgan Street façades. It is also considered of significance due to its association with other early municipal buildings. Of particular note of the façade detailing is the arched window fenestration and decorative parapet detailing.	
		High (northern part of western elevation)		
Former Municipal Building interior 113-121 Hunter Street		Little (southern part of west elevation & south elevation)	Little Ground floor façade and shop windows have been heavily modified and therefore are not considered of significance. The awning is also a later addition and should be considered for removal as part of the future development.	
		Little		

Building/ Element	Site	Significance	Commentary	Photo
			<p>that the arched openings on Level 2, which extend to approximately 4m from the Hunter Street façade of the building are not original and have been created as part of the single commercial tenancy fitout.</p> <p>The remainder of the interiors are essentially later partition walls smaller office spaces.</p>	
123-141 Hunter Street façade & interiors		Little	<p>The exterior of 123-141 Hunter Street is not considered of significance as it is a later development with no aesthetic character of note. Similarly, interiors of the building are of Low heritage value.</p>	

Block 4

Building/ Site Element	Significance	Commentary	Photo
111 Hunter Street exteriors	High (north & east elevations at Levels 1 and 2)	<p>The north and east facades of the former Sanitarium building are considered of High significance as a contributory building dating from c.1890. Aesthetically it is a representative example of the Victorian Free Classical style and directly reflects the characteristics of heritage items located in proximity.</p> <p>The rear (south) and west side elevations of the building together with the rear two-storey wing are assessed being of Little heritage value.</p>	
	Little (south, west and rear two-storey wing)	<p>Little (south, west and rear two-storey wing)</p>	
109 Hunter Street facade	Little (Ground floor facades)	<p>Ground floor façade and shop windows have been heavily modified and therefore are not considered of significance.</p> <p>The awning is also a later addition.</p> <p>Interiors of the building were not accessible and therefore have been ranked as being of moderate significance to allow for appropriate archival recording in a future internal demolition.</p>	
	Moderate	<p>The façade of the commercial terrace located at 109 Hunter Street is considered of moderate significance, as a typical example of Inter-War building that was reconstructed matching the details of the original building dating from 1926.</p>	

	Little	<p>Ground floor façade and shop windows have been heavily modified and therefore are not considered of significance.</p> <p>The awning is also a later addition.</p>	
105 Hunter Street façade	High	<p>The commercial terrace located at 105 Hunter Street is considered of High significance, as a contributory building dating from the mid-1920s.</p> <p>The original lift & lift shaft survive and considered of being High significance. It can be salvaged and relocated as an interpretive element within the future common areas of the new building.</p>	
	Little	<p>Ground floor façade and shop windows have been heavily modified and therefore are not considered of significance.</p> <p>The original awning has also been removed.</p>	
3 Morgan Street façade	Little	<p>The Calvary Chapel building is not considered of particular significance, dating from a later period of development. It does not contribute to the streetscape.</p>	

Blackall House façade	Moderate (exterior) Little (interiors)	Blackall House is of Moderate significance as a building dating from the Inter-War period. It is a typical example of a community with simple architectural aesthetics Interiors of the building have been significantly modified with no discernible layout of the original or earlier configuration remaining, and therefore they are of Low significance. There are some detailing of interest including leadlight glazing.	
66 King Street façade	Little	The building located at 66 King Street is a more recent development and is not considered of particular significance. It is not considered to positively contribute to the streetscape.	
74 King Street façade	Little	The timber residence at 74 King Street is a typical example of its kind and is not considered of particular significance.	
1 Morgan Street façade	Moderate (exterior) Little (interiors)	The "Arcadia Flats" building is an example of an Inter-War residential flat building on a small scale (consisting of four apartments). The character of the building reflects the character of Blackall House, which it has a direct relationship with due to the topography of Block 4. Although there are some internal features remaining in scattered form within the building, its overall integrity is Low.	

9. CONSTRAINTS, ISSUES AND OPPORTUNITIES

9.1. Preamble

The development of a conservation policy is an essential requirement for making decisions about the future of the place⁹⁹. Future development of the place is dependent upon the permissible uses and changes as determined by statutory regulations and current heritage management principals, in consultation with stakeholders. Policies should provide practical guidelines for the future management and conservation of the place for the short and long term. The policies are set out in Section 10 of this document.

9.2. Significance

The Newcastle East End Precinct and associated buildings has been assessed as containing heritage and contributory items of local significance, and its significance warrants its protection and conservation for future generations. The following constraints and opportunities arise out of the Statement of Significance for the site, detailed in Section 8.0.

The grading of significance identifies items of Exceptional, High, Moderate, Little and Neutral significance. Elements graded as Exceptional and High significance should be conserved, maintained and reinstated in their original detailing, where known.

Items of Moderate significance provide some heritage values and make contribution to the overall significance of the site. Non-contributory buildings that are ranked as Moderate and Low significance may be removed and archivally recorded.

9.3. Physical Condition

While alterations and additions and conservation works have been conducted on some of the buildings located within the study area on several occasions over the years, there are a number of condition issues noted during the site inspection conducted by CPH since 2017. It should be noted that a complete condition assessment at this stage has not been conducted on all buildings as limited internal access was available during the site inspections some with occupants' sensitivity as well as the recent Covid-19 restrictions. As such, some buildings appear to be in a good condition externally although further investigation will be required in order to ensure this is the case internally. The following is a summary of some of the condition issues noted during the site inspection:

- Municipal Building - minor signs of damp to internal walls noted, particularly between buildings that have been internally modified and connected;
- Blackall Building - shows evidence of lack of maintenance with some raising damp along the south and west facades as well as internal spaces;
- Weatherboard cottage on the corner of King and Morgan Streets shows external and internal signs of deterioration and damp.
- The remainder of the buildings within Blocks 3 and 4 appear to be in good condition externally. With the exception of buildings at 1 Morgan Street and 105 Hunter Street, they have not been inspected internally but this has not affected the assessment of their significance due to their contributory or low heritage values, which relate to their external facades rather than their internal elements. Notwithstanding, the interiors of the contributory buildings have been ranked as being of Moderate significance to allow for their adequate mitigation for any likely surviving original elements through archival recording.

⁹⁹ Australia ICOMOS, Guidelines to the Burra Charter: Conservation Policy, 2013, section 1.3

9.4. Obligations Arising from the Burra Charter

The development of the conservation policy should be consistent with the principles, terminology and methodology of the Australia ICOMOS Burra Charter (The Charter). The Charter gives guidance on when each degree of change to the fabric is appropriate.

The articles of the Burra Charter relevant to developing policy and guidelines for any future work undertaken to the Newcastle East End Precinct are Articles 2-34 (see Appendix A). Particular measures relevant to the site have been identified and included below:

- The maximum amount of significant fabric, uses, associations and meanings should be preserved and conserved (Article 3);
- Works to the fabric should be planned and implemented taking into account the relative significance of the elements of the place. Unavoidable intervention should be carried out on elements of lesser significance in preference to those of higher significance;
- Alterations to interior spaces, such as obscuring or removal of original finishes, partitioning or construction of new openings and installation of new services should be carried out in spaces of lesser significance to those of higher significance (Article 5.2);
- Uses should, if possible, be related to the cultural significance rather than uses that do not take advantage of the interpretative potential of the place (Article 7).

9.5. Statutory and Non-Statutory Authorities

The following section discusses constraints, opportunities and issues arising from the statutory and non-statutory requirements in summary and includes only the sections relevant to the Newcastle East End Precinct. This will guide the development of conservation policies and the future development of the site.

9.5.1. Commonwealth Government Level

Building Code of Australia

The Building Code of Australia sets out minimum construction standards for all new building work undertaken in Australia and specifies the requirements for building constructions issued under the Local Government Act.

An assessment of compliance was not part of the scope of this Plan, therefore an assessment of compliance will need to be undertaken for BCA requirements in terms of fire resistance, access and egress (including provisions for people with disabilities), services and equipment and health and amenities as part of the future adaptive reuses of the site and its built elements individually. In general, when considering the BCA for new works within the heritage buildings, proposals must ensure that significant fabric and spatial qualities are not compromised while full BCA compliance is achieved and users' safety is assured.

The buildings may require changes for compliance with the requirements of the BCA 2013 and the Disability Discrimination Act depending on its future use.

Environment Protection and Biodiversity Conservation Act, 1999

New Commonwealth heritage legislation came into effect in January 2004. The new legislation established the Australian Heritage Council, replacing the former Australian Heritage Commission. Two new Federal heritage lists have also been established, the National Heritage List, and the Commonwealth Heritage List. The National Heritage List is a register of places with "outstanding heritage value" to the nation, and can include places outside Australia. Consent by the Commonwealth Minister for the Environment and Heritage is required for works which will have a significant impact on a national heritage place. The Commonwealth Heritage List is a list of heritage places managed or owned by the Federal Government. The Register of the National Estate is retained as an advisory list.

The Newcastle East End Precinct and the buildings located within the site are not listed on the Commonwealth Heritage Register.

9.5.2. State Government Level

NSW Heritage Act 1977 (Amended)

In NSW, the legal protection for items of state heritage significance is afforded by the Heritage Act, 1977. Those items of state significance are listed on the State Heritage Register and their inclusion on the register identifies them as possessing values that are important to the NSW community.

The Newcastle East End Precinct and the buildings located within the site are not listed on the State Heritage Register and therefore the provisions of the NSW Heritage Act do not apply. However, regardless of it is not listed on the State Heritage Register the provisions related to the archaeological resource do apply as all potential archaeological site are protected by the Heritage Act in NSW.

Archaeology

The heritage significance of any site extends beyond the extant structures. Appropriate management measures should also be taken to ensure the archaeological resource is appropriately investigated and recorded prior to any action which may disturb or remove it. Appropriate management requires the archaeological investigation of areas of sensitivity, and the documentation of relics removed or disturbed.

In the Historical Archaeological Assessment report prepared by Umwelt in May 2018¹⁰⁰, it is noted that the Newcastle Archaeological Management Plan (AMP) 1997 had identified nine archaeological precincts within the Newcastle area, with the subject site falling within the Convict Settlement 1804 and Government Town 1822 Precincts.

The Newcastle East End development site predominately falls within the Convict Settlement Precinct; however, remnant fabric from this period is considered unlikely to be present. The AMP also identified a number of potential historical archaeological sites with the Precinct, with only Block 3, the Morgan Street carpark and part of 15 Wolfe Street not identified as archaeological sites. The following table has been extracted from the report and provides further information about the archaeological potential of the sites within the overall Newcastle East End precinct with **the sites in Blocks 3 and 4 noted in red** (note: some of the street addresses differ to the current site addresses which have been indicated in brackets alongside the original listing address):

AMP Item no.	Address	Occupation History	Archaeological Potential
0110	154 Hunter Street (subject site street frontage)	1830-1845 huts 1854 Market Place	Potential site
0113	103-105 Newcomen Street (105 Hunter Street)	1845-1854 allotments	Disturbed/ potential site
0115	22 Newcomen Street	1845-1854 allotments	Potential site
0116	26 Newcomen Street (part of 22 Newcomen Street)	1830s buildings 1845 allotment 1854 allotment and buildings	Potential site

¹⁰⁰ Umwelt, Historical Archaeological Assessment, Newcastle East End Project - Stage 2, Final, May 2018, p. 6.

AMP Item no.	Address	Occupation History	Archaeological Potential
0117	28 King Street (66-74 King Street)	1845 allotment 1854 allotment and buildings	Potential site
0132	1 Morgan Street	1845 allotment 1854 allotment	Potential site
0133	3 Morgan Street	1845 allotment 1854 allotment and buildings	Potential site
0134	109-111 Hunter Street	1845 allotment 1854 allotment and buildings	Potential site
0135	Laing Street	1830 coal pit 1854 coal shaft	Potential site
0136	98-100 King Street	1845 allotment 1854 allotment and buildings	Potential site
0137	16 Wolfe Street (Masonic Hall/ Lyrique Theatre)	1845 allotments 1854 allotment and buildings	Disturbed/ potential site
0138	Wolfe Street	1845-1854 allotments	Potential site
0139	147 Hunter Street (15 Wolfe Street)	1845-1854 allotments	Potential site
0140	153-155 Hunter Street	1845-1854 allotments	Potential site
0150	169 Hunter Street	1854 allotment and buildings	Disturbed/ potential site
1138	Newcomen Street	Hunt Club Hotel	Remains possible within existing building
1139	Morgan Street	London Hotel	-
1144	Thorn Street	Globe Hotel	-
1146	Laing Street	1840 coal pit Graves possible in vicinity	Potential site

The Umwelt Aboriginal Cultural Heritage Assessment Report also considers the findings of the AMP and makes the following recommendations¹⁰¹:

¹⁰¹ Umwelt, Aboriginal Cultural Heritage Assessment Report, Newcastle East End - Stage 2, Draft, April 2018, pp. 48-9.

10.0 Recommendations

The following recommendations have been developed in light of the archaeological context of the region, the findings of previous archaeological assessments of the Project area and its surrounds, the potential impacts of the proposed Project, current cultural heritage legislation and the preferred management and mitigation strategies identified above. These recommendations are subject to revision based on the outcomes of consultation with the registered Aboriginal parties.

10.1 Aboriginal Party Recommendations

The recommendations below were provided by Aboriginal parties in the relation to the Stage 1 Project and it is understood that the parties wished for these recommendations to be applied consistently to subsequent stages. Additional Aboriginal party recommendations may be incorporated based on the comments provided by Aboriginal parties in response to the draft ACHAR.

- (1) An area wide application for an Aboriginal Heritage Impact Permit (AHIP) should be sought and should include provision for the completion of further archaeological investigation within the Project area. Monitoring of the removal of the sub-surface structures and footings should be undertaken as part of the AHIP process.*
- (2) Commercial engagement to perform cultural and archaeological works on site should be limited to 'local people with experience and knowledge of the materials and objects of significance within the boundaries of ALALC'.*
- (3) In relation to Phase 1 Works (Archaeological Monitoring), after demolition of the existing building, a representative of Awabakal Local Aboriginal Land Council should be present to monitor any disturbance/s to natural soil profiles as well as fill layers.*
- (4) In relation to Phase 3 Works (Aboriginal Archaeological Investigation):*
 - (a) Excavated materials should be sieved through a 3mm gauge sieve initially but provision should be made to revert to a 5mm gauge sieve only once the nature of objects and materials in the excavation area is understood*
 - (b) Excavation and identification of Aboriginal objects and/or places should only be undertaken by experienced local registered Aboriginal parties and archaeologists*
 - (c) All natural soils or fill layers containing objects/artefacts should be retained on site*
 - (d) The high artefact densities used to trigger salvage requirements should be where artefact densities are greater than 50 artefacts per 1m by 1m excavation unit*

10.2 Archaeological Recommendations

- (1) East End Stage 3 & 4 Land Pty Ltd should ensure that its employees and contractors are aware that it is an offence under Section 86 of the NPW Act to harm or desecrate an Aboriginal object unless that harm or desecration is the subject of an Aboriginal Heritage Impact Permit (AHIP).*
- (2) East End Stage 3 & 4 Pty Ltd should apply to the Director-General of OEH for an AHIP in accordance with Section 90 of the NPW Act, with this AHIP to cover the entirety of the Project area (as shown in Figure 1.1). The AHIP should cover the entirety of the Project area as it is within the bounds of an archaeological site (AHIMS site 38-4-1084) which was identified primarily based on its archaeological potential and this level of potential extends across the Project area. The AHIP should include provision for the completion of further investigations in the form of Phase 1, Phase 2, Phase 3 and Phase 4 works to be completed in accordance with the methodologies provided in Section 11.*
- (3) The AHIP should include conditions for the management of human skeletal material that are consistent with those in AHIP #C0003431.*
- (4) All works undertaken under the AHIP should be conducted in accordance with the methodology specified in Appendix 3.*

In addition, the following comments are made in regard to the historical archaeological potential for the site¹⁰²:

The Project area is located within an area of central Newcastle that has been subject to occupation and use associated with the expansion and commercial development of central Newcastle from the mid 1800s. The potential archaeological resource is likely to be dominated by remains associated with the commercial, residential and light industrial development and use of the area from the 1860s.

The Project has been assessed as having a potential archaeological resource of local significance.

The potential archaeological remains would be considered 'relics' under the Heritage Act. As 'relics' are protected under the Heritage Act an excavation permit application to the Heritage Council under Section 140 of the Heritage Act is required if land that is likely to contain archaeological relics is going to be excavated or disturbed. This report would form the supporting documentation for an application under Section 140 of the Heritage Act to disturb these relics.

Archaeological monitoring of proposed bulk excavation of the Project area and detailed archaeological excavation as required of areas of high archaeological integrity should be undertaken in order to recover information through the excavation and recording of the archaeological remains and thus realise the archaeological research potential of the site.

Recommendations:

- (1) It is recommended that an excavation permit for archaeological monitoring of bulk excavation and detailed archaeological excavation as required be applied for under Section 140 of the Heritage Act. The investigation methodology and research framework outlined in Sections 7.0 and 8.0 of this report should be adopted as the recommended strategy for undertaking physical investigation of the site in conjunction with the approved development.*
- (2) Note that the Project area forms part of a registered Aboriginal site. An Aboriginal Cultural Heritage and Archaeological Assessment is being prepared for the Project which it is envisaged will result in the need for an AHIP for the Project. In the event that any Aboriginal objects are identified during historical archaeological investigations, works within the immediate vicinity of the Aboriginal object should cease and the RAPs for the Project be contacted so that the appropriate management strategies in accordance with the OEH approved AHIP can be implemented.*
- (3) In the unlikely event that a potential burial site or potential human skeletal material is exposed, work in the vicinity of the remains is to halt immediately to allow assessment and management. If the remains are suspected to be human, it may be necessary to contact local police, OEH and the Heritage Division to determine an appropriate course of action.*

For further information, reference should be made to the report contained within Appendix D.

National Parks and Wildlife Act 1974

Legislative management and protection of Aboriginal objects and places comes under the NSW National Parks and Wildlife Act, 1974 and it is an offence under that Act to disturb or otherwise alter Aboriginal objects without the express permission of the Director General of the NSW National Parks and Wildlife Service.

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Any future development of the Newcastle East End Precinct should be undertaken with due regard. Contractor and subcontractor contracts should also specify obligations which need to be met relating to the National Parks and Wildlife Service.

The National Parks and Wildlife (NPWS) Act, 1974 provides statutory protection for all Aboriginal 'objects' (consisting of any material evidence of the Indigenous occupation of New South Wales) under Section 90 and for 'Aboriginal places' (areas of cultural significance to the Aboriginal community) under

¹⁰² Umwelt, Historical Archaeological Assessment, Newcastle East End Project - Stage 2, Final, May 2018, pp. 116-7.

Section 84. Aboriginal objects and places are afforded automatic statutory protection in New South Wales whereby it is an offence (without the Minister's consent) to:

Damage, deface or destroy Aboriginal sites without the prior consent of the Director-General of the National Parks and Wildlife Service (now the Department of Environment and Conservation).

The Act defines an Aboriginal object as:

any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction, and includes Aboriginal remains.

The protection provided to Aboriginal objects and places applies irrespective of the level of their significance or issues of land tenure. Any future development on this site should be undertaken with due regard.

The *Aboriginal and Historical Archaeology Report, Newcastle East End - Staged Development Application* (Final, October 2015) prepared by Umwelt for GPT and Urban Growth summarised the findings in Section 3.4 - Conclusion as follows:

The subject site has the potential to contain archaeological evidence of Aboriginal occupation of the area and historical development and occupation throughout the nineteenth and twentieth centuries. In addition, evidence of early contact between Aboriginal people and European settlers may also be present within the subject site.

Physical subsurface disturbance to areas of archaeological potential across the subject site is likely to require approval (or an exception from the need for approval) from the Heritage Council of NSW (under Section 139 of the Heritage Act 1977 [NSW]) and OEH (under Section 87 of the National Parks and Wildlife Act 1974 [NSW]). Obtaining approval from both statutory authorities would require further archaeological research and assessment and consultation with relevant Aboriginal stakeholders.¹⁰³

National Construction Code (incorporating Building Code of Australia)

The National Construction Code (NCC) incorporates the Building Code of Australia (BCA). It is a national set of building regulations with some state-specific variations, including mandatory performance requirements for fire protection, fire warning, and egress, equality of access and equal provision of facilities.

Compliance with such building regulations should be achieved using the objectives and performance requirements of the regulations, rather than deemed-to-satisfy provisions. The BCA permits alternatives to its deemed-to-satisfy requirements provided that these can be demonstrated to achieve at least the same level of compliance with its performance requirements. Changes to the Newcastle East End Precinct to achieve fire safety may be acceptable provided they occur in areas of lower rather than higher significance and all alternatives are conscientiously—and demonstrably—investigated.

State Environmental Planning Policy (SEPP) Exempt and Complying Development Codes

The SEPP Exempt and Complying Development Codes, whereby some development with minimal impact can be undertaken without consent.

Refer:

http://www.planning.nsw.gov.au/Portals/0/BuildingInNSW/EC/EC_POLICY_1_1_OVERVIEW_EXEMPT_DEVELOPMENT.pdf

9.5.3. Local Government Level

Located within the Newcastle East End Precinct are a number of heritage items identified under Schedule 5 of the Newcastle LEP 2012 including the following with the Block 3 item noted in red:

¹⁰³ Umwelt, Aboriginal and Historical Archaeology Report, Newcastle East End - Staged Development Application, Final, Oct 2015, p. 30.

- **Municipal Building, 121 Hunter Street, item no. I1403 (Block 3);**
- Former David Jones building, 169-185 Hunter Street, item no. I407 (Block 1);
- Former Lyrique Theatre, 98 King Street (Wolfe Street), item no. I423 (Block 2);
- Retaining wall and sandstone steps, Wolfe and King Street, item no. I477 (Blocks 1, 2, 3 & 4).

The site is also located within the Newcastle City Centre Heritage Conservation Area (C4) and contains a number of items that have been identified as contributory to the HCA in a report prepared by TDK Architects in October 2015. The Blocks 3 and 4 contributory items include the following:

- Sanitarium Building, 111 Hunter Street;
- Terrace building, 105 Hunter Street; and
- Blackall House, 22 Newcomen Street.

Submission of a Development Application (DA) to the local government authority for approval to erect, alter or demolish a building or to change the use of the building applies to the subject site. The relevant statutory controls for the Newcastle East End Precinct are the Newcastle LEP 2012 and the Newcastle Development Control Plan (DCP) 2012.

City of Newcastle Heritage Technical Manual (February 2020) provides heritage principles and contributory buildings maps for the heritage conservation areas including the Newcastle City Centre HCA. The contributory buildings map for the Newcastle City Centre identifies the following buildings as being of Contributory 1 and 2 in addition to the Municipal Building (121 Hunter Street) being a heritage item.

- 111 Hunter Street (Contributory 1)
- 109 Hunter Street (Contributory 1)
- 105 Hunter Street (Contributory 1)
- 22 Newcomen Street (Contributory 1)
- 66 King Street (Contributory 2)
- 74 King Street (Contributory 2)
- 1 Morgan Street (Contributory 2)
- 123-141 Hunter Street ((Contributory 2)



Figure 181: Excerpt from the Contributory Buildings map for Newcastle City Centre HCA. Blocks 3 & 4 indicated in dashed red line (Source: CN Heritage Technical Manual, Updated February 2020, p.64)

Environmental Planning and Assessment (Amendment) Act 1997

Submission of a Development Application to the local government for approval to erect, alter or demolish a building or to change the use of the building does apply to the Newcastle East End Precinct.

9.5.4. Non-Statutory Listing

National Trust of Australia (NSW)

The National Trust of Australia (NSW) has assembled a Register of heritage items and conservation areas. The National Trust Register is a respected guide to items of cultural significance.

Listing on the Trust's Register does not hold any statutory control but indicates buildings' heritage value for the community.

The readily available National Trust Register does not include the Newcastle East End Precinct or any buildings located within the study area.

AIA Register of Buildings of Significant Architecture

The NSW Chapter of the Australian Institute of Architects has maintained a register of notable NSW Architecture since October 1949. The list, presented in an abbreviated version of entries held at the Chapter Office on a State Heritage Inventory Database and card index, is available on the AIA website NSW Chapter section.

The former David Jones building and Wolfe Street annexe are listed separately on the AIA Register of Buildings of Significant Architecture (item no.'s 4702446 and 4702630).

9.6. Other Issues

9.6.1. Access

An access assessment of the Newcastle East End Precinct is not considered part of the scope of this CMP, however, the buildings located within the study area have vehicular access from the surrounding streets and are accessible by foot through the various ground floor entrances to each building. It is noted that further changes will be made to the site and various buildings that are considered for retention and adaptive reuse in order to improve accessibility. Key accessibility issues that need to be addressed are listed below:

- Where possible, an improvement in disability access to all buildings should be undertaken;
- Pedestrian access will be improved in some areas should the proposed Masterplan be applied to Blocks 3 and 4, however, a holistic approach to pedestrian access should be undertaken for all four blocks.

Further modifications in relation to access will need to avoid impact on fabric of Exceptional or High significance.

9.6.2. Services

A condition assessment, in relation to mechanical, electrical and hydraulic and fire services, was not carried out for the purpose of this Conservation Management Plan. Services including those such as telecommunications, mechanical and fire upgrading, which change due to technology and legislation, will need to avoid impacting on original fabric in both external and internal areas of the buildings.

9.6.3. Security

The exact details of security measures currently in place are unknown, however, there are a number of security measures evident. A number of the buildings are occupied or partially occupied, while other that are unoccupied have been boarded up and secured in order to prevent unauthorised access. In addition,

Iris Capital has an office located in the Market Square Shopping Centre, which adds another level of security and surveillance for the area.

9.6.4. Curtilage & Setting

The curtilage and setting of the Newcastle East End Precinct has been reviewed during production of this report. The study area is situated on several main streets with the Newcastle CBD and is directly visible from within its streetscape, although somewhat visually obscured by surrounding developments. Therefore due to the proximity of the surrounding blocks, the Newcastle East End Precinct does not have an open character.

The setting of the study area is dominated by the surrounding developments, with most blocks located in proximity having been heavily built up. While this limits visual access to the site, it should be noted that this is not considered negative as the surrounding buildings define the character of Newcastle and the study area. The physical curtilage of the site is therefore limited to the lot boundaries (zero lot boundary setbacks present). The visual curtilage is relatively the same and dependant on the prominence of the buildings directly within the surrounding streetscape. The prominent street facing facades of the heritage and contributory buildings located within the study area are considered significant and contribute to the setting and character of the CBD.

9.6.5. Archaeology

Details regarding the site's potential for archaeology has been identified in Section 8. In summary, the subject sites have potential for both Aboriginal and historical archaeology as it is located within the early development area of the city of Newcastle.

See Appendix D for copy of the above noted Umwelt report (*Aboriginal and Historical Archaeology Report, Newcastle East End - Staged Development Application*, Final, October 2015); and findings of the AHIMS search.

9.6.6. Interpretation

There is currently no formal interpretation regarding the history and heritage of the study area in place within the Newcastle East End Precinct. However, there is an opportunity, using information provided in this Plan and other studies available in the archives, to provide interactive interpretive media, interpretative signs or displays at key locations throughout the study area with the main focus of the interpretive media being the key heritage and contributory buildings located within each block.

The selected locations need to be easily accessible, well frequented, and relate visually to components of heritage significance.

The following are suggested themes that could be explored in new interpretation for the site.

- Early development of Newcastle;
- Development of Hunter Street as a commercial centre;
- Subdivision and development of the Market Square;
- History of Scott's Ltd;
- David Jones;
- The Masonic Hall and Lyrique Theatre;
- The Borough Markets and Market Square Shopping Centre development;
- Blackall House and the Deaf and Dumb Society of Newcastle.

Interpretation activities should be coordinated by an interpretation policy or plan, which would determine which stories are told where, how the interpretation stations are identified and cross referenced, and the range of most appropriate presentation approaches to use, such as signage, photo-and text display panels externally.

9.7. Further Research

The Newcastle East End Precinct's historical development and fabric was extensively researched by CPH during production of this report. However, historical research has relied on readily available resources, which predominately consists of primary resources such as newspaper articles and some secondary sources. As such, there are a few areas of interest that should be researched in the future including the following:

- Information sourced to date provided little information regarding the terraces located in King Street to the rear of Block 2, 14 Thorn Street), 151 Hunter Street, 105 Hunter Street, 66-74 King Street and 1 Morgan Street. Further research should be undertaken to identify the historical development of these sites for inclusion in a future interpretation strategy/plan;
- While the building at 111 Hunter Street features the text "Sanitarium Building" on its Hunter Street façade, historical research to date has not uncovered how the building was used by the Sanitarium Company or its association with the company.

As previously detailed, further historical information could also be gained through undertaking community consultation and by conducting oral histories.

10. CONSERVATION POLICIES

10.1. Preamble

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records that are important as tangible expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

The following chapter presents a series of general conservation policies aimed to guide protection and development of the Newcastle East End Precinct and ensure the long-term conservation of the item's heritage significance. They also give consideration to Newcastle East End Precincts curtilage and views and vistas towards the heritage item from within the streetscape.

These policies should be addressed when preparing future plans, making changes or altering the use of the study area and its immediate surrounds. The section has been divided into general policies for heritage management of the property and building specific policies for an easier comprehension and adoption.

All policies are numbered sequentially and include procedural matters, significant fabric management and appropriate recommendations.

10.2. Definitions

The Burra Charter identifies and defines a number of terms and concepts crucial to the development of policies for the conservation of a place. The following are some of the important terms used in the following conservation policy section.

Cultural Significance	Aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects.
Fabric	All the physical material of the place including elements, fixtures, contents, and objects.
Conservation	All process of looking after a place so as it retains its cultural significance.
Maintenance	The continuous protective care of a place and its setting. Maintenance is to be distinguished from repair which involves restoration or reconstruction.
Preservation	Maintaining a place in its existing state and retarding deterioration.
Restoration	Returning a place to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
Reconstruction	Returning a place to a known earlier state and is distinguished from restoration by the introduction of new material.
Adaption	Changing a place to suit the existing use or a proposed use.
Interpretation	All the ways of presenting the cultural significance of a place.

10.3. Significant Fabric

In the Assessment of Significance, the building and its elements were graded according to their relative significance. The following fabric rankings and definitions have been adopted for this Plan:

Fabric Ranking	Management and Actions
Exceptional	Preserve, restore, maintain all items and record relevant processes, subject to physical constraints, the approach principles to level of intervention provided in Section 8.4 – Site Specific Policies, and detailed specific conservation policies below. If adaptation is necessary for the continued use of the place, minimise intervention, removal or obscuring of significance. All intervention should be reversible and archivally recorded.
High	Preserve, restore, maintain all items and record relevant processes, subject to physical constraints and detailed specific conservation policies below. Opportunity for adaptive reuse to preserve the ongoing viability of the place provided that any significance is retained or revealed. All intervention should be archivally recorded.
Moderate	Elements that should be conserved, subject to physical constraints, and where safety and structural requirements and resources permit retention. There is opportunity for adaptive reuse or partial removal to preserve ongoing viability of the place, particularly if it reveals significance of a higher level. All intervention should be archivally recorded.
Little	Retain, recycle, add compatible new elements and/or remove as necessary for adaptive reuse, ongoing viability or in order to reveal significance of a higher level.
Intrusive	Remove or modify, in long term to reduce adverse impact.

While each of the above represents a level of significance, when referring throughout this document to “significant fabric”, it is implied that reference is being made to fabric of Exceptional, High and Moderate significance.

It should also be noted that the above definitions also act as general conservation policies for appropriate treatment of different significance levels of fabric/elements; where fabric has been graded, the grading carries with it a general guideline as to how it is to be conserved, adapted, or removed.

10.4. General Policies

10.4.1. Principal Conservation Policy

- Policy 1 Future conservation, adaptive reuse works and development should be undertaken in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (Burra Charter).
- Policy 2 This Conservation Management Plan shall be accepted as the main guide to future planning, management and work on the site. This Conservation Management Plan should be submitted to the City of Newcastle as part of the redevelopment of Blocks 3 and 4. It should be reviewed at least every ten years or in the event of substantial changes to the site or whenever new information comes to light such as to warrant an update of the document.

- Policy 3 The Statement of Significance and Schedule of Significant Elements (Sections 8.4 and 8.6.2), should be adopted as a basis for future decision making, planning and work on the site.
- Policy 4 It should be a standard practice for all works to be carried out to the site in accordance with this CMP policies and recommendations.
- Policy 5 This document should be made publicly available to the wider public. Copies should be provided to the Newcastle City Council Library.

10.4.2. Conservation Process

- Policy 6 All future actions or works including reconstruction, restoration, preservation, maintenance, repair, new works and uses should be guided by the principles of the Burra Charter and employ the recommended processes of investigation, assessment and management.
- Policy 7 The definitions of particular conservation processes provided in Section 10.2 also act as general policies guiding the treatment of fabric. Fabric grading should guide the conservation of significant elements and fabric of the place while the ranking of a specific element of fabric carries with it a general policy for its treatment.
- Policy 8 Appropriate conservation processes for individual elements of the site including spaces, fabric, finishes and fittings should be determined having regard to their relative significance. Unless prevented by essential structural safety and conservation considerations due to the condition of the fabric, individual elements should be managed according to tables the significance ranking tables in Sections 8.6.1 and 8.6.3.
- Policy 9 All surviving original building fabric and other fabric identified as being of Exceptional and High significance should be conserved and interpreted as part of the future use and development of the site.
- Policy 10 Ensure continued maintenance of the buildings' fabric, services and systems to prevent or minimise deterioration of fabric (refer to Appendix B for Cyclical Maintenance Works schedule).
- Policy 11 Where significant fabric has sustained damage, or has deteriorated (e.g. timber structural elements and cladding, window frames, brickwork etc.), conservation works should be undertaken by an appropriately qualified professional to repair that damage. Any future restoration works should be undertaken by suitably qualified specialist tradespersons with relevant experience and skills.
- Policy 12 Relevant and experienced professional conservation advice should be provided for all conservation and repair work proposals and programs related to the subject site under a Schedule of Conservation Works. Any further repair, reinstatement and restoration of significant elements should be undertaken under the supervision of a suitably qualified conservation architect and should be based on the existing available evidence matching the materials and detailing of the original.
- Policy 13 Proposals involving physical intervention on the building fabric graded of Exceptional, High and Moderate significance should be accompanied by a Heritage Impact

Statement (HIS) that assesses the likely impacts of the proposed works in regards to Conservation Policies of this CMP and relevant statutory controls.

Further historical research should be carried out as part of continued efforts to learn as much as possible about the original appearance and finishes of various parts of the site. The findings of such research may possibly inform future conservation works to the Newcastle East End Precinct.

10.5. Site Specific Policies

10.5.1. Awning Strategy

- | | |
|-----------|---|
| Policy 14 | Identify and study the original awnings of the heritage items and contributory items within the Newcastle East End Precinct. Retain and make good original awnings where possible. Where no original awning is present, allow for contemporary interpretation of original awnings for heritage items and contributory items as reinstatement of the original awnings, although photographic evidence may exist, may not be achievable due to statutory constraints. |
| Policy 15 | Follow up the awning designs that were constructed across Block 1 buildings for consistency within the Newcastle East Precinct with reference to traditional awnings designs and dimensions for non-heritage buildings within the Precinct. |
| Policy 16 | Create a continuing awning network throughout the Precinct for amenity and weather protection and for the enjoyment of pedestrians. |

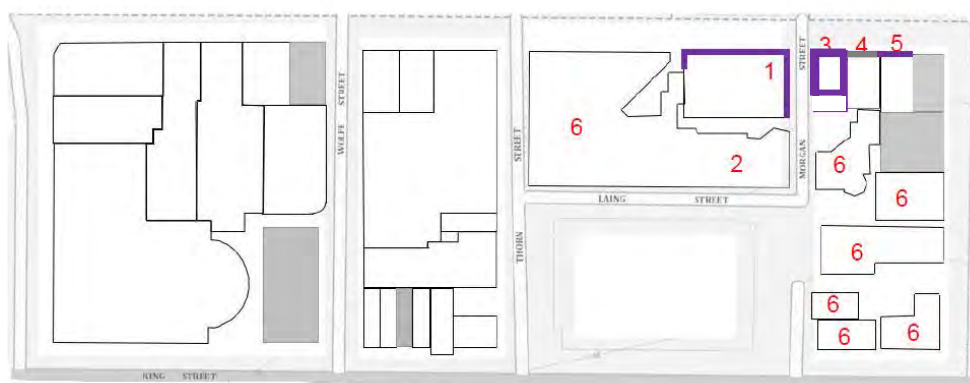
10.5.2. General for Heritage Items

- | | |
|-----------|---|
| Policy 17 | Give particular attention to the heritage items (as well as the items in the vicinity) within the study area in order to understand their individual distinctive architectural characteristics and detailing for interpretation within the new building design including setbacks, solid to void relationships and proportions, scale, and vertical or horizontal façade emphasis. Refer to significance ranking of Municipal Building provided in Appendix F. |
| Policy 18 | Follow up the existing predominant setbacks - although it is desirable in general to have setbacks from the facades, depending on the particular style and detailing of a heritage item or a contributory building, in some cases no setbacks from the building façade may provide a better outcome. Setbacks to upper levels should be given consideration in the first instance in order to understand if such setbacks would provide the appropriate transition between adjacent buildings of different scales or the building that the vertical addition is proposed. |
| Policy 19 | Celebrate and apply the traditional prominent corner treatment/ accent at the key corners of the study area, in particular, where it responds and communicate with an existing prominent corner accent on the opposite corner to maintain the rhythm of the existing urban context. |
| Policy 20 | Make reference to the materials, horizontal/vertical façade articulation of the adjoining building or the building where vertical addition is proposed. |

- Policy 21 Consider the façade fenestration of the heritage items and the contributory buildings associated with the new infill building(s) and apply simple and sympathetic fenestration but do not mimic the historic character of the items.
- Policy 22 Maintain the streetscape rhythm and subdivision pattern of the study area.
- Policy 23 Aim to maintain, preserve and restore the architectural detailing and original/early fabric of the items
- Policy 24 Reinstatement of missing elements, architectural detailing, and known earlier materials/ finishes both externally and internally is desirable and preferred to ensure the heritage items and contributory buildings maintain their integrity and historic character within the Newcastle City Centre Heritage Conservation Area as a powerful reminder of the city's past, its economic and social history.
- Policy 25 Ensure the scale and proportions of the vertical addition(s) relate to the original building in a sympathetic manner and provide appropriate transition from the new high-rise building wing(s) to the existing lower scale building(s).
- Policy 26 Ensure the key view corridors and vistas identified in the project Architects visual analysis and this CMP are maintained and preserved. This is particularly important for the views to the Cathedral and its dominance in the city's skyline.
- Policy 27 Maintain the established street-wall along the streetscapes and relate to the human scale of the existing built form that follows the underlying natural topography of the area.
- Policy 28 Consider the intact internal layout, detailing and finishes of the buildings that are proposed for adaptive reuse and ensure they remain readable/recognisable to future users/occupiers.
- Policy 29 Compliment to the materials, form, colours, building techniques, details, and the traditional hierarchy in the use of materials and colours of the historic buildings.
- Policy 30 Maintain the relationship between the commercial and domestic character of the buildings in particular with the low scale terraces.
- Policy 31 Reduce the scale and dominance of the infill buildings/ vertical additions by breaking long walls into bays or arranging openings in the walls so that their size and shape reflect the structure and openings of the existing buildings within the site and immediate vicinity.
- Policy 32 The lack of repetitive building form in the study area and the streetscapes provides more flexibility to the design of the infill buildings in different form than those existing historic buildings. Notwithstanding, infill buildings should respond to, or reinforce existing ridge or parapet lines, roof slopes and other features such as string courses, cornices, shape of openings, and projecting bays to name a few.
- Policy 33 Ensure adaptive reuse of the Municipal Building and incorporation of conservation and restoration works as part of the design. Allow for continuing public access to the building and increase integration with the public domain areas. Ensure exposure of original remnant fabric and elements within the new adaptive reuse and appreciation by wider public.

10.5.3. Conservation of Fabric

- Policy 34 A regular maintenance program that will guide the future maintenance of the site should be followed.
- Policy 35 Elements identified in Sections 8.6.2 as being of *Exceptional* and *High* significance should be conserved. Any future works affecting these components should respect and be visually compatible with their general architectural and aesthetic character. Refer to the marked-up site plan below for acceptable intervention, fabric removal, retention and setbacks in Block 3 and 4 buildings.

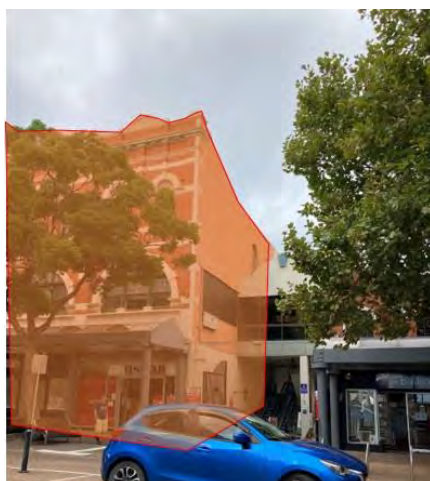


Purple line shows the extent of façade or building retentions – see also explanatory text & marked-up images below for further details on interiors and extent of retention (red numbering on the above plan correlate with the explanatory text):

Explanatory Notes:

Block 3

1. **Municipal building** – retain facades on Hunter and Morgan Streets, and at least 4 metre back inside the building to pick up arched openings (in lot 31). Refer to Appendix F for Municipal Building's detailed significance ranking plan.
2. **Municipal building** – demolition of later additions to the south and the roof is acceptable as long as the full extent of the parapet and associated moulded cornice detailing are protected and retained. Since the trusses of the roof are not exposed to the internal spaces and do not contribute to the architectural value of the Municipal Building they can also be removed as part of the roof. Refer to the marked up image below for the retention of facades including extent of the required minimum portion of the west side façade to be retained for understanding of the existing roof form should vertical additions are proposed to the building under a future development.



Block 4:

3. **111 Hunter Street** (Corner of Hunter and Morgan Streets) – Retain façades of the three-storey original building only as indicated by the purple line above. The two-storey wing at the rear at 3 Morgan Street is not required to be retained. Walls that are common to the south and east facades' lower floor levels may need to be retained, too, but not essential. Refer to the marked up image below.



4. **109 Hunter Street** – retention of front façade only could be considered but is not necessary based on the integrity and replaced nature of the fabric and detailing.
5. **105 Hunter Street** – it is noted that the building has BCA and fire exit issues due to strata residential building behind. The façade with faceted bay windows is to be retained, and lift and lift shaft with associated external moulded detailing are original elements and are to be retained (stairs are not required to be kept). Also, there is a need to explore retention of the existing plaster/pressed metal ceilings in situ as much as possible (confirm if they are plaster or pressed metal). If ceilings are pressed metal, salvage and reuse in the new building. The lift shaft is almost at the centre of the lot with only one room and landing depth to the Hunter Street façade. Although they are not considered of heritage value, it is recommended to keep the floors up to the lift shaft to ensure the integrity of the structure is not affected, unless a structural engineer's advice is sought for the removal of the floors behind the façade. The lift car and associated gate and fittings including the lift motor should be kept on site for interpretive purposes if it could not be kept in situ.
6. **All other buildings** are able to be removed; however, some items are to be salvaged and sold to conservation warehouse(s) – This particularly relate to the leadlight glazed windows of the flat building at 1 Morgan Street. At the Construction Certificate stage a Salvage Strategy should be prepared to identify what can be salvaged and recycled.

Setbacks above the retained facades:

Up to a 4m setback on the Municipal building for height over heritage building. However, there is no need for a setback above items 2, 4, 5 and 6 above but it will be best new vertical additions to be behind the parapets of the buildings especially the corner building at 111 Hunter Street due to its decorative nature. The other area that may require setback is the south portion of Morgan Street façade in lot 32 in order to maintain the decorative cornice and string course return of the Municipal building exposed.

- Policy 36 Fabric assessed as having *Exceptional* and *High* significance should be retained in situ and conserved. Any adaptive reuse necessary to ensure the continued use of the place, or change, removal or obscuring of significant fabric should be minimised and all future changes should be reversible as far as practicable.
- Policy 37 Fabric evaluated as having *Moderate* significance may be retained or removed, provided that removal does not cause damage to fabric of *Exceptional* or *High* significance.
- Elements that have been identified as being intrusive or low significance in Section 8.6.2 of this CMP should be removed or modified to reduce the intrusion.
- Damage to significant adjoining significant fabric should be avoided.
- Policy 38 Damage to significant fabric should be repaired wherever practicable. Any significant early building fabric that cannot be successfully repaired may be reconstructed or re-interpreted in the design of replacement items. New replacement elements should be based upon the design and configuration of the original element and following the advice of qualified heritage consultants.
- Policy 39 The form of the Newcastle East End Precinct should be respected and not compromised by future unsympathetic alterations or modifications.
- Policy 40 The approach to the conservation of individual built elements within Blocks 3 and 4 should be in accordance with their relative significance and individual ranking, and be one of minimal intervention, with the philosophy of 'do as much as necessary, but as little as possible' being a primary consideration.
- Policy 41 The adaptation and use of spaces must not conflict with or be detrimental to the cultural significance of the structures within the site as well as the site as a whole.
- Policy 42 New work to the site should be readily identifiable as new work but simultaneously sympathetic to the cultural significance of significant fabric and is to be of high quality to complement the level of aesthetic quality of the existing buildings.
- Policy 43 Should new services or alterations to the existing services be required, these services should be installed with as little impact upon significant fabric as possible and all works should be reversible. With any proposed changes to services, existing service lines and spaces should be utilised, and where possible these should occur in areas that have already been altered.
- Policy 44 Any proposals for alterations in this regard must take into account the impact on the aspect of the buildings and must not compromise the architectural and aesthetic integrity of significant components.
- Policy 45 Always engage appropriately skilled practitioners to undertake documentation and supervision of works.
- Policy 46 The site's landscape features should be conserved through regular maintenance operations. Re-landscaping is acceptable provided it is appropriate to the area and does not damage building fabric (e.g. the activity of tree roots, trunks and limbs, the raising of soil levels, and increased moisture and salts due to watering) or significant views.
- Policy 47 New plantings shall be sympathetic to the nature and maturity of the existing trees and plant material on site, the buildings, use of the buildings and the identified views

and vistas. Existing plantings and trees should be documented by an appropriately qualified landscape specialist to incorporate their significance and conditions to inform future maintenance and management.

While the various requirements of each block should be considered, a holistic approach to the landscaping of the entire site should also be undertaken and incorporated in a landscape management plan.

- Policy 48 A Schedule of Conservation Works and qualified consultants' advice should guide the future conservation works prior to the site's redevelopment.

10.5.4. Former Municipal Building

- Policy 49 As the commercial use of the building is not considered feasible, adaptive reuse of the former Municipal Building for residential purposes is acceptable
- Policy 50 Retain and conserve the existing Hunter and Morgan Street facades and at least 4 metre back inside the building to pick up arched openings (in lot 31). Any changes proposed to the eastern façade should pay respect to remnant original fabric and seek to conserve this fabric where possible. Remove the graffiti to the Morgan Street façade. Removal of southern façade for integrated design of infill buildings is acceptable. Reference should be made to the significance ranking plans (Appendix F) for detailed original fabric surviving within the building. The building has suffered considerably from later alterations and wall cladding making it difficult to ascertain the original layout with essentially only the structural elements being surviving. Structural engineer's recommendations must be sought for any future changes to maintain integrity of the building.
- Policy 51 Replacement of the existing Hunter and Morgan Street awnings is considered appropriate as they are of later fabric and not considered sympathetic to the existing building. Any replacement awning should be a contemporary interpretation of the original building awning in line with the awning strategy policies detailed in Section 10.5.1.

10.5.5. Contributory Buildings

General

- Policy 52 The external form and streetscape appearance of buildings identified in the TKD report as being of contributory significance and explored in this report should be retained and conserved. Any future works or additions should keep this in mind and not adversely impact on the external contributory character of the buildings. Respect the original architectural detailing and finishes of the buildings. Ensure no air-conditioning units attached to the exterior of the windows or the facades.
- While Blackall House (22 Newcomen Street) has been ranked as being of contributory building it has already been approved for demolition under the Staged Development Application (DA2017/00701) on 19 June 2017. Salvage of materials and fabric should be considered as part of any future development for Block 4.
- Policy 53 Internal changes are considered acceptable, provided the works are devised in consultation with a heritage architect and ensure retention of contributory values of the building. Where original or early fabric remain, every effort should be made for their retention and use as part of the new layout of the respective building

105 Hunter Street

Policy 54 The façade with faceted bay windows is to be retained, and lift and lift shaft with associated external moulded detailing are original elements and are to be retained (stairs are not required to be kept).

Also, retention of the existing plaster/pressed metal ceilings in situ as much as possible (confirm if they are plaster or pressed metal) should be explored.

If ceilings are pressed metal, retain and reuse in the new building. The lift shaft is almost at the centre of the lot with only one room and landing depth to the Hunter Street façade. It is recommended that the floors up to the lift shaft to be kept so that the ceilings could also be kept and integrity of the structure is not affected.

111 Hunter Street

Policy 55 Retain the prominent corner presence of the building and Morgan and Hunter Street facades. Remove the air conditioning unit externally located to the corner window at first floor level.

Policy 56 Retain the "Sanitarium Building" sign to the Hunter Street façade as it provides the passer-by with an indication of the historic use of the building. Heritage interpretation could also be externally applied to provide more information about this historic use (and other relevant information).

Policy 57 While a new shopfront below the awning is considered acceptable from a heritage perspective, reinstatement of the original splayed corner entrance should be considered to improve the appearance of the façade below the awning and the connection between the facades above the awning.

All other buildings

Policy 58 All other buildings are able to be removed; however, some items are to be salvaged and sold to second-hand conservation warehouse(s) – This particularly relates to the leadlight glazed windows of the flat building at 1 Morgan Street and Blackall House.

Policy 59 A Salvage Strategy should be prepared by suitably qualified heritage architect to identify what can be salvaged and recycled.

10.6. Policies for Future Uses and Development

10.6.1. General

Policy 60 The Newcastle East End Precinct can accommodate several range of adaptive reuses where retention of or continuation of the original uses are no longer exist or viable, such as the former Municipal Building in Block 3. Any new uses of the buildings should maintain significant fabric, be respectful and enhance the respective building's identified and assessed heritage significance. New development of the buildings should be in line with the long-term management of their heritage significance. Consider the recommended uses outlined in the Staged DA concept (2017/00171) and this CMP. Mixed retail and residential uses will ensure the active use of the area as a social and historic hub of the city centre.

Policy 61 The planning, design and supervision of any changes to the building fabric or any future development associated with the place should be undertaken in conjunction

with persons having relevant expertise and experience in building conservation projects and under the supervision of a suitably qualified heritage architect.

- Policy 62 The existing statutory heritage listings on the Newcastle Local Environmental Plan provide necessary protection and should be retained.

10.6.2. Quality and Integrity of New Work

- Policy 63 The policies set out in this document should be applied irrespective of the use to which the building is put. Before any major works are undertaken, review all available documentary and physical evidence in order to guide effective conservation work.

- Policy 64 The planning, design and supervision of any changes to the building fabric or any future development associated with the place should be undertaken in conjunction with persons having relevant expertise and experience in building conservation projects and under the supervision of a suitably qualified heritage architect.

The height of any new structure located on the site are to be designed with respect to the topography of the site and height of existing buildings considered of Exceptional, High and Moderate significance. The height of new building may exceed that of the existing significant buildings but should be designed in a manner that reflects and relates to the significant horizontal elements and scale of the respective heritage building for compatible outcome and to prevent an adverse impact on their setting, views and dominance

10.6.3. Curtilage and Setting

- Policy 65 Significant views to the heritage and contributory buildings along Hunter Street, should remain uninterrupted by other developments.

- Policy 66 The visual setting of the site and its relationship with the Christ Church Cathedral, Hunter Street, King Street and the CBD generally shall be maintained and enhanced. Any works carried out to the Newcastle East End Precinct must not adversely affect the setting and this relationship. The spatial relationship of the study area shall remain uninterrupted by any other development.

- Policy 67 Development of surrounding areas shall give consideration to the significance of the views to and from the buildings located within the Newcastle East End Precinct. Any new works shall take into consideration the scale, form, colour, texture and materials of the study area and the main buildings located within it.

10.7. Management Policies

10.7.1. Disability Access

The Commonwealth Disability Discrimination Act (DDA) makes it unlawful to discriminate against people on the grounds of their disability. Section 23 of the Act requires non-discriminatory access to premises which the public or a section of the public is entitled or allowed to use.

Where the Act does apply, heritage places are not exempt from it, although the Australian Human Rights Commission has advised that heritage significance may be taken into account when considering whether providing equitable access would result in unjustifiable hardship.

- Policy 68 Changes to facilitate disabled access may be acceptable if they are designed and implemented to effect areas of lesser significance rather than those of higher significance, and that all the options to create reasonable access have been conscientiously investigated (and this investigation is demonstrated).

10.7.2. General Access and Security

- Policy 69 Retain existing main access to the buildings from within the street.
- Policy 70 Ensure appropriate security for the building is maintained. The introduction of new elements for improved security systems should be as sensitive as possible to the aesthetic qualities of the site, especially within the front facades.
- Use of CCTV systems is appropriate provided that the specifications of a CCTV system (including the type of camera and location) forms part of an overall security design and is not to be left to the supplier.
- CCTV cameras should be as small as possible in size and installed discreetly.

10.7.3. Archival Recording

- Policy 71 Archival Recordings should be prepared for any change to fabric graded as of Exceptional and High significance. Copies of this documentation should be kept in at least two repositories including the Newcastle City Council's archives or the Local History section of the Library. Recordings before and during major works should be conducted in accordance with the guidelines of the Heritage NSW publication (2001, revised 2004, 2006) Photographic Recording of Heritage Items Using Film and Digital Capture. The recording of change to fabric of Moderate significance, or minor change, should not be excessively detailed, but should be consistent with the significance of the adjoining fabric likely to be affected, and the nature of the changes.
- Policy 72 Should any significant element be removed in the future, they shall be labelled, documented and safely stored against possible future reinstatement, and the heritage architect involved in future conservation or development works is made aware of this reinstatement option. Where possible, any removed element should be stored on site and recorded in the management diary or ongoing maintenance schedule for the site to prevent its complete loss.

10.7.4. Archaeology

- Policy 73 The archaeological potential of the site is considered to be moderate. However, a strategy of monitoring, recording and interpretation by a suitably qualified archaeologist is recommended during any future excavation of the site to ensure any structure related to the early development of the site (including Aboriginal occupation and early occupation of the land) is appropriately recorded and documented. As recommended by Umwelt an excavation permit for archaeological monitoring of bulk excavation and detailed archaeological excavation as required be applied for under Section 140 of the Heritage Act. The investigation methodology and research framework outlined in Sections 3.0, 4.0 and 5.0 of Umwelt's report (see Appendix D) should be adopted as the recommended strategy for undertaking physical investigation of the site in conjunction with the approved development.

- Policy 75 In the event of unexpected archaeological find the STOP WORK provisions of the NSW Heritage Act, 1977 apply. The works must stop immediately around the find and a suitably qualified archaeologist be contacted for appropriate actions and management.
- In the event that any Aboriginal objects are identified within the area of works, works within the immediate vicinity of the Aboriginal object should cease and Heritage NSW should be contacted so that appropriate management strategies can be identified.
- In the unlikely event that a potential burial site or potential human skeletal material is exposed, work in the vicinity of the remains is to halt immediately to allow assessment and management. If the remains are suspected to be human, it will be necessary to contact local police and the Heritage NSW to determine an appropriate course of action.

10.7.5. Maintenance and Repair

- Policy 76 Undertake regular inspections, monitoring and maintenance works in accordance with a future general Cyclical Maintenance Works.
- Policy 77 Where significant fabric is damaged, the repair of the original element should be done in preference to its replacement with the new. This will preserve the intactness and significance of the place.
- Policy 78 **Interiors** - Fittings and linings can be removed and upgraded where necessary. Any removal within the heritage buildings should be based on fabric integrity and should not be extensive in order to maintain the integrity of the interiors where original fabric survive. Replacement material should be consistent with the existing fittings and linings. During their removal, care should be taken in making sure earlier fitting evidence if identified are appropriately documented. If possible, reinstatement of previous detailing should be considered when based on historical and physical evidence.
- Policy 79 **Flooring** - Should it be required; the existing floorings can be replaced with a similar one. Retain and conserve or record evidence of any original or early flooring. Any flooring replacement must ensure evidence of previous layouts, removed elements and shadow lines are preserved and maintained for readily identification where possible.
- Policy 80 **Services** - Ensure that the upgrading of services in the building minimises impact on significant fabric; locate these services in areas designed for, or previously damaged by, services, used fixings which do not damage significant fabric. Retain and conserve or record evidence of any original or early services if uncovered in the course of maintenance or future modifications to services. These should be recorded and added to the existing archive of the place.
- Policy 81 **Windows and Doors** - All original windows and any original door fabric should be preserved, restored or reconstructed as applicable. Reconstruction and restoration work on significant windows and doors should be based on historical and physical evidence.
- Policy 82 **Windows and Doors** - It is preferable that new openings are not introduced to the buildings. Where new openings are required to enhance viability of the new future use(s) they should be placed in areas that would be in line with the existing proportions and fenestration of the structures, and should not be on the original front

of the buildings. Reinstatement of original/earlier openings in particular front façade entrances is acceptable provided that they are based on documentary and physical evidence. All interventions in relation to the new openings should be carefully considered to maintain the overall form and facade fenestrations of the structures.

- Policy 83 **Roofing and External Walls** – should asbestos be identified; elements should be carefully treated to minimise impact on the overall original fabric. Consultation with a HAZMAT specialist may be required.
- Policy 84 **External Lighting** – It is not recommended to affix any external lighting to the buildings. Any new light fittings should be located as such to minimise impact on significant fabric and be capable of reversibility. If, lighting of the façade is required this should be for the purpose of the enhancement of building's architectural elements and based on the recommendations of a lighting consultant and a suitably qualified heritage consultant.
- Policy 85 **Internal Lighting** – Internal lighting should be suspended if they are fixed to the original timber board and plaster ceilings.
- Policy 86 **Drainage** - Any new works in this regard should follow the general conservation principles of this Plan having regard to impacts on significant fabric.
- Policy 87 **Amenities** – Any works relating to create new amenities to the buildings should be consistent with the policies regarding impacts on significant fabric, and consider the Burra Charter process and principles.
- Policy 88 **Significant Finishes** - Preserve all original external and internal finishes. Do not paint or render previously unpainted surfaces on any account. Always utilise expert heritage conservation advice when carrying out work to significant elements or involve intervention to an element adjoining fabric of heritage significance.
- Policy 89 **New roof plumbing**, such as downpipes and gutters, shall be constructed in traditional shapes and detailed in appropriate materials matching the original detailing of the respective building. Where metal comes into contact with other materials ensure compatibility to avoid electrolytic corrosion and general deterioration.
- Policy 90 The **existing colour schemes** in some cases are original and in others are not. Regardless, they may be maintained as they conform to the simplicity and overall uses of the structures. Any future colour schemes should be selected in a similar natural and sympathetic palette unless otherwise informed by a paint scraping.

10.7.6. Interpretation and Signage

- Policy 91 An **Interpretation Strategy** should be prepared for Blocks 3 & 4 which establishes appropriate interpretative action and media that could be incorporated within the site and future adaptive reuses of the structures on the site. The recommended interpretive actions should be implemented at the first opportunity to ensure the long layered history of the Newcastle East End Precinct is adequately conveyed and communicated to its users and to future generations.
- Policy 92 There is some potential for external signage within the Newcastle East End Precinct. New signage for Blocks 3 & 4 should be guided by an overall **Signage Strategy** for the Precinct, and be designed, detailed and located in consultation with a heritage

professional, in order to minimise any potential impact on the heritage significance of the site and its structures.

- Policy 93 No new signage potential exists on the main elevations of Exceptional and High significance buildings. Any new sign should be placed on other new structures, boundary fence or light poles where possible, and conform to the future Interpretation and Signage Strategies, and controls of the Newcastle City Council.
- Policy 94 Any directional or safety signs for compliance with BCA requirements should be placed in areas that would minimise visual cluttering and aim to fit the purpose of such a sign and not be placed all over the site.

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APPENDICES

- Appendix A - Australia ICOMOS Burra Charter, 2013
- Appendix B - Long Term Maintenance Plan, CPH, May 2017
- Appendix C - Inventory Sheets
- Appendix D - Archaeological Assessment and AHIMS Searches
- Appendix E - Newcastle East End Development Urban Design Principles, CPH, 21 February 2017

APPENDIX A

Australia ICOMOS Burra Charter, 2013

THE BURRA CHARTER

The Australia ICOMOS Charter for
Places of Cultural Significance 2013



Australia ICOMOS Incorporated
International Council on Monuments and Sites

ICOMOS

ICOMOS (International Council on Monuments and Sites) is a non-governmental professional organisation formed in 1965, with headquarters in Paris. ICOMOS is primarily concerned with the philosophy, terminology, methodology and techniques of cultural heritage conservation. It is closely linked to UNESCO, particularly in its role under the World Heritage Convention 1972 as UNESCO's principal adviser on cultural matters related to World Heritage. The 11,000 members of ICOMOS include architects, town planners, demographers, archaeologists, geographers, historians, conservators, anthropologists, scientists, engineers and heritage administrators. Members in the 103 countries belonging to ICOMOS are formed into National Committees and participate in a range of conservation projects, research work, intercultural exchanges and cooperative activities. ICOMOS also has 27 International Scientific Committees that focus on particular aspects of the conservation field. ICOMOS members meet triennially in a General Assembly.

Australia ICOMOS

The Australian National Committee of ICOMOS (Australia ICOMOS) was formed in 1976. It elects an Executive Committee of 15 members, which is responsible for carrying out national programs and participating in decisions of ICOMOS as an international organisation. It provides expert advice as required by ICOMOS, especially in its relationship with the World Heritage Committee. Australia ICOMOS acts as a national and international link between public authorities, institutions and individuals involved in the study and conservation of all places of cultural significance. Australia ICOMOS members participate in a range of conservation activities including site visits, training, conferences and meetings.

Revision of the Burra Charter

The Burra Charter was first adopted in 1979 at the historic South Australian mining town of Burra. Minor revisions were made in 1981 and 1988, with more substantial changes in 1999.

Following a review this version was adopted by Australia ICOMOS in October 2013.

The review process included replacement of the 1988 Guidelines to the Burra Charter with Practice Notes which are available at: australia.icomos.org

Australia ICOMOS documents are periodically reviewed and we welcome any comments.

Citing the Burra Charter

The full reference is *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013*. Initial textual references should be in the form of the *Australia ICOMOS Burra Charter, 2013* and later references in the short form (*Burra Charter*).

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The Burra Charter consists of the Preamble, Articles, Explanatory Notes and the flow chart.

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Cover photograph by Ian Stapleton.

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The Burra Charter

(The Australia ICOMOS Charter for Places of Cultural Significance, 2013)

Preamble

Considering the International Charter for the Conservation and Restoration of Monuments and Sites (Venice 1964), and the Resolutions of the 5th General Assembly of the International Council on Monuments and Sites (ICOMOS) (Moscow 1978), the Burra Charter was adopted by Australia ICOMOS (the Australian National Committee of ICOMOS) on 19 August 1979 at Burra, South Australia. Revisions were adopted on 23 February 1981, 23 April 1988, 26 November 1999 and 31 October 2013.

The Burra Charter provides guidance for the conservation and management of places of cultural significance (cultural heritage places), and is based on the knowledge and experience of Australia ICOMOS members.

Conservation is an integral part of the management of places of cultural significance and is an ongoing responsibility.

Who is the Charter for?

The Charter sets a standard of practice for those who provide advice, make decisions about, or undertake works to places of cultural significance, including owners, managers and custodians.

Using the Charter

The Charter should be read as a whole. Many articles are interdependent.

The Charter consists of:

- Definitions Article 1
- Conservation Principles Articles 2–13
- Conservation Processes Articles 14–25
- Conservation Practices Articles 26–34
- The Burra Charter Process flow chart.

The key concepts are included in the Conservation Principles section and these are further developed in the Conservation Processes and Conservation Practice sections. The flow chart explains the Burra Charter Process (Article 6) and is an integral part of

the Charter. Explanatory Notes also form part of the Charter.

The Charter is self-contained, but aspects of its use and application are further explained, in a series of Australia ICOMOS Practice Notes, in *The Illustrated Burra Charter*, and in other guiding documents available from the Australia ICOMOS web site: australia.icomos.org.

What places does the Charter apply to?

The Charter can be applied to all types of places of cultural significance including natural, Indigenous and historic places with cultural values.

The standards of other organisations may also be relevant. These include the *Australian Natural Heritage Charter*, *Ask First: a guide to respecting Indigenous heritage places and values* and *Significance 2.0: a guide to assessing the significance of collections*.

National and international charters and other doctrine may be relevant. See australia.icomos.org.

Why conserve?

Places of cultural significance enrich people's lives, often providing a deep and inspirational sense of connection to community and landscape, to the past and to lived experiences. They are historical records, that are important expressions of Australian identity and experience. Places of cultural significance reflect the diversity of our communities, telling us about who we are and the past that has formed us and the Australian landscape. They are irreplaceable and precious.

These places of cultural significance must be conserved for present and future generations in accordance with the principle of inter-generational equity.

The Burra Charter advocates a cautious approach to change: do as much as necessary to care for the place and to make it useable, but otherwise change it as little as possible so that its cultural significance is retained.

Article 1. Definitions

For the purposes of this Charter:

- 1.1 *Place* means a geographically defined area. It may include elements, objects, spaces and views. Place may have tangible and intangible dimensions.
- 1.2 *Cultural significance* means aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

Cultural significance is embodied in the *place* itself, its *fabric*, *setting*, *use*, *associations*, *meanings*, *records*, *related places* and *related objects*.

Places may have a range of values for different individuals or groups.
- 1.3 *Fabric* means all the physical material of the *place* including elements, fixtures, contents and objects.
- 1.4 *Conservation* means all the processes of looking after a *place* so as to retain its *cultural significance*.
- 1.5 *Maintenance* means the continuous protective care of a *place*, and its *setting*.

Maintenance is to be distinguished from repair which involves *restoration* or *reconstruction*.
- 1.6 *Preservation* means maintaining a *place* in its existing state and retarding deterioration.
- 1.7 *Restoration* means returning a *place* to a known earlier state by removing accretions or by reassembling existing elements without the introduction of new material.
- 1.8 *Reconstruction* means returning a *place* to a known earlier state and is distinguished from *restoration* by the introduction of new material.
- 1.9 *Adaptation* means changing a *place* to suit the existing *use* or a proposed use.
- 1.10 *Use* means the functions of a *place*, including the activities and traditional and customary practices that may occur at the place or are dependent on the place.

Place has a broad scope and includes natural and cultural features. Place can be large or small: for example, a memorial, a tree, an individual building or group of buildings, the location of an historical event, an urban area or town, a cultural landscape, a garden, an industrial plant, a shipwreck, a site with in situ remains, a stone arrangement, a road or travel route, a community meeting place, a site with spiritual or religious connections.

The term cultural significance is synonymous with cultural heritage significance and cultural heritage value.

Cultural significance may change over time and with use.

Understanding of cultural significance may change as a result of new information.

Fabric includes building interiors and sub-surface remains, as well as excavated material.

Natural elements of a place may also constitute fabric. For example the rocks that signify a Dreaming place.

Fabric may define spaces and views and these may be part of the significance of the place.

See also Article 14.

Examples of protective care include:

- maintenance — regular inspection and cleaning of a place, e.g. mowing and pruning in a garden;
- repair involving restoration — returning dislodged or relocated fabric to its original location e.g. loose roof gutters on a building or displaced rocks in a stone bora ring;
- repair involving reconstruction — replacing decayed fabric with new fabric

It is recognised that all places and their elements change over time at varying rates.

New material may include recycled material salvaged from other places. This should not be to the detriment of any place of cultural significance.

Use includes for example cultural practices commonly associated with Indigenous peoples such as ceremonies, hunting and fishing, and fulfillment of traditional obligations. Exercising a right of access may be a use.

Articles

- 1.11 *Compatible use* means a *use* which respects the *cultural significance* of a *place*. Such a use involves no, or minimal, impact on cultural significance.
- 1.12 *Setting* means the immediate and extended environment of a *place* that is part of or contributes to its *cultural significance* and distinctive character.
- 1.13 *Related place* means a *place* that contributes to the *cultural significance* of another place.
- 1.14 *Related object* means an object that contributes to the *cultural significance* of a *place* but is not at the place.
- 1.15 *Associations* mean the connections that exist between people and a *place*.
- 1.16 *Meanings* denote what a *place* signifies, indicates, evokes or expresses to people.
- 1.17 *Interpretation* means all the ways of presenting the *cultural significance* of a *place*.

Conservation Principles

Article 2. Conservation and management

- 2.1 *Places of cultural significance* should be conserved.
- 2.2 The aim of *conservation* is to retain the *cultural significance* of a *place*.
- 2.3 *Conservation* is an integral part of good management of *places of cultural significance*.
- 2.4 *Places of cultural significance* should be safeguarded and not put at risk or left in a vulnerable state.

Article 3. Cautious approach

- 3.1 *Conservation* is based on a respect for the existing *fabric, use, associations* and *meanings*. It requires a cautious approach of changing as much as necessary but as little as possible.
- 3.2 Changes to a *place* should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 4. Knowledge, skills and techniques

- 4.1 *Conservation* should make use of all the knowledge, skills and disciplines which can contribute to the study and care of the *place*.

Explanatory Notes

Setting may include: structures, spaces, land, water and sky; the visual setting including views to and from the place, and along a cultural route; and other sensory aspects of the setting such as smells and sounds. Setting may also include historical and contemporary relationships, such as use and activities, social and spiritual practices, and relationships with other places, both tangible and intangible.

Objects at a place are encompassed by the definition of place, and may or may not contribute to its cultural significance.

Associations may include social or spiritual values and cultural responsibilities for a place.

Meanings generally relate to intangible dimensions such as symbolic qualities and memories.

Interpretation may be a combination of the treatment of the fabric (e.g. maintenance, restoration, reconstruction); the use of and activities at the place; and the use of introduced explanatory material.

The traces of additions, alterations and earlier treatments to the fabric of a place are evidence of its history and uses which may be part of its significance. Conservation action should assist and not impede their understanding.

Articles

- 4.2 Traditional techniques and materials are preferred for the *conservation* of significant *fabric*. In some circumstances modern techniques and materials which offer substantial conservation benefits may be appropriate.

Article 5. Values

- 5.1 *Conservation* of a *place* should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.
- 5.2 Relative degrees of *cultural significance* may lead to different *conservation* actions at a place.

Article 6. Burra Charter Process

- 6.1 The *cultural significance* of a *place* and other issues affecting its future are best understood by a sequence of collecting and analysing information before making decisions. Understanding cultural significance comes first, then development of policy and finally management of the place in accordance with the policy. This is the Burra Charter Process.
- 6.2 Policy for managing a *place* must be based on an understanding of its *cultural significance*.
- 6.3 Policy development should also include consideration of other factors affecting the future of a *place* such as the owner's needs, resources, external constraints and its physical condition.
- 6.4 In developing an effective policy, different ways to retain *cultural significance* and address other factors may need to be explored.
- 6.5 Changes in circumstances, or new information or perspectives, may require reiteration of part or all of the Burra Charter Process.

Article 7. Use

- 7.1 Where the *use* of a *place* is of *cultural significance* it should be retained.
- 7.2 A *place* should have a *compatible use*.

Explanatory Notes

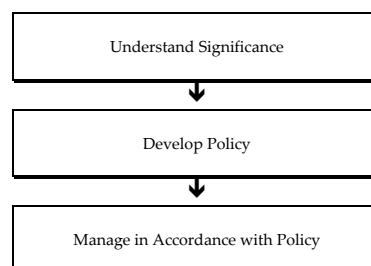
The use of modern materials and techniques must be supported by firm scientific evidence or by a body of experience.

Conservation of places with natural significance is explained in the Australian Natural Heritage Charter. This Charter defines natural significance to mean the importance of ecosystems, biodiversity and geodiversity for their existence value or for present or future generations, in terms of their scientific, social, aesthetic and life-support value.

In some cultures, natural and cultural values are indivisible.

A cautious approach is needed, as understanding of cultural significance may change. This article should not be used to justify actions which do not retain cultural significance.

The Burra Charter Process, or sequence of investigations, decisions and actions, is illustrated below and in more detail in the accompanying flow chart which forms part of the Charter.



Options considered may include a range of uses and changes (e.g. adaptation) to a place.

The policy should identify a use or combination of uses or constraints on uses that retain the cultural significance of the place. New use of a place should involve minimal change to significant fabric and use; should respect associations and meanings; and where appropriate should provide for continuation of activities and practices which contribute to the cultural significance of the place.

Articles

Article 8. Setting

Conservation requires the retention of an appropriate *setting*. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the *cultural significance* of the *place*.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Article 9. Location

9.1 The physical location of a *place* is part of its *cultural significance*.

A building, work or other element of a place should remain in its historical location. Relocation is generally unacceptable unless this is the sole practical means of ensuring its survival.

9.2 Some buildings, works or other elements of *places* were designed to be readily removable or already have a history of relocation. Provided such buildings, works or other elements do not have significant links with their present location, removal may be appropriate.

9.3 If any building, work or other element is moved, it should be moved to an appropriate location and given an appropriate *use*. Such action should not be to the detriment of any *place* of *cultural significance*.

Article 10. Contents

Contents, fixtures and objects which contribute to the *cultural significance* of a *place* should be retained at that place. Their removal is unacceptable unless it is: the sole means of ensuring their security and *preservation*; on a temporary basis for treatment or exhibition; for cultural reasons; for health and safety; or to protect the place. Such contents, fixtures and objects should be returned where circumstances permit and it is culturally appropriate.

Article 11. Related places and objects

The contribution which *related places* and *related objects* make to the *cultural significance* of the *place* should be retained.

Article 12. Participation

Conservation, *interpretation* and management of a *place* should provide for the participation of people for whom the place has significant *associations* and *meanings*, or who have social, spiritual or other cultural responsibilities for the place.

Article 13. Co-existence of cultural values

Co-existence of cultural values should always be recognised, respected and encouraged. This is especially important in cases where they conflict.

Explanatory Notes

Setting is explained in Article 1.12.

For example, the repatriation (returning) of an object or element to a place may be important to Indigenous cultures, and may be essential to the retention of its cultural significance.

Article 28 covers the circumstances where significant fabric might be disturbed, for example, during archaeological excavation.

Article 33 deals with significant fabric that has been removed from a place.

For some places, conflicting cultural values may affect policy development and management decisions. In Article 13, the term cultural values refers to those beliefs which are important to a cultural group, including but not limited to political, religious, spiritual and moral beliefs. This is broader than values associated with cultural significance.

Conservation Processes

Article 14. Conservation processes

Conservation may, according to circumstance, include the processes of: retention or reintroduction of a *use*; retention of *associations* and *meanings*; *maintenance*, *preservation*, *restoration*, *reconstruction*, *adaptation* and *interpretation*; and will commonly include a combination of more than one of these. Conservation may also include retention of the contribution that *related places* and *related objects* make to the *cultural significance* of a *place*.

Article 15. Change

15.1 Change may be necessary to retain *cultural significance*, but is undesirable where it reduces cultural significance. The amount of change to a *place* and its *use* should be guided by the *cultural significance* of the place and its appropriate *interpretation*.

15.2 Changes which reduce *cultural significance* should be reversible, and be reversed when circumstances permit.

15.3 Demolition of significant *fabric* of a *place* is generally not acceptable. However, in some cases minor demolition may be appropriate as part of *conservation*. Removed significant fabric should be reinstated when circumstances permit.

15.4 The contributions of all aspects of *cultural significance* of a *place* should be respected. If a place includes *fabric*, *uses*, *associations* or *meanings* of different periods, or different aspects of cultural significance, emphasising or interpreting one period or aspect at the expense of another can only be justified when what is left out, removed or diminished is of slight cultural significance and that which is emphasised or interpreted is of much greater cultural significance.

Article 16. Maintenance

Maintenance is fundamental to *conservation*. Maintenance should be undertaken where *fabric* is of *cultural significance* and its maintenance is necessary to retain that *cultural significance*.

Article 17. Preservation

Preservation is appropriate where the existing *fabric* or its condition constitutes evidence of *cultural significance*, or where insufficient evidence is available to allow other *conservation* processes to be carried out.

Conservation normally seeks to slow deterioration unless the significance of the place dictates otherwise. There may be circumstances where no action is required to achieve conservation.

When change is being considered, including for a temporary use, a range of options should be explored to seek the option which minimises any reduction to its cultural significance.

It may be appropriate to change a place where this reflects a change in cultural meanings or practices at the place, but the significance of the place should always be respected.

Reversible changes should be considered temporary. Non-reversible change should only be used as a last resort and should not prevent future conservation action.

Maintaining a place may be important to the fulfilment of traditional laws and customs in some Indigenous communities and other cultural groups.

Preservation protects fabric without obscuring evidence of its construction and use. The process should always be applied:

- where the evidence of the fabric is of such significance that it should not be altered; or
- where insufficient investigation has been carried out to permit policy decisions to be taken in accord with Articles 26 to 28.

New work (e.g. stabilisation) may be carried out in association with preservation when its purpose is the physical protection of the fabric and when it is consistent with Article 22.

Articles

Article 18. Restoration and reconstruction

Restoration and reconstruction should reveal culturally significant aspects of the *place*.

Article 19. Restoration

Restoration is appropriate only if there is sufficient evidence of an earlier state of the *fabric*.

Article 20. Reconstruction

20.1 *Reconstruction* is appropriate only where a *place* is incomplete through damage or alteration, and only where there is sufficient evidence to reproduce an earlier state of the *fabric*. In some cases, reconstruction may also be appropriate as part of a *use* or practice that retains the *cultural significance* of the place.

20.2 *Reconstruction* should be identifiable on close inspection or through additional *interpretation*.

Article 21. Adaptation

21.1 *Adaptation* is acceptable only where the adaptation has minimal impact on the *cultural significance* of the *place*.

21.2 *Adaptation* should involve minimal change to significant *fabric*, achieved only after considering alternatives.

Article 22. New work

22.1 New work such as additions or other changes to the *place* may be acceptable where it respects and does not distort or obscure the *cultural significance* of the place, or detract from its *interpretation* and appreciation.

22.2 New work should be readily identifiable as such, but must respect and have minimal impact on the *cultural significance* of the *place*.

Article 23. Retaining or reintroducing use

Retaining, modifying or reintroducing a significant *use* may be appropriate and preferred forms of *conservation*.

Article 24. Retaining associations and meanings

24.1 Significant *associations* between people and a *place* should be respected, retained and not obscured. Opportunities for the *interpretation*, commemoration and celebration of these associations should be investigated and implemented.

24.2 Significant *meanings*, including spiritual values, of a *place* should be respected. Opportunities for the continuation or revival of these meanings should be investigated and implemented.

Explanatory Notes

Places with social or spiritual value may warrant reconstruction, even though very little may remain (e.g. only building footings or tree stumps following fire, flood or storm). The requirement for sufficient evidence to reproduce an earlier state still applies.

Adaptation may involve additions to the place, the introduction of new services, or a new use, or changes to safeguard the place. Adaptation of a place for a new use is often referred to as 'adaptive re-use' and should be consistent with Article 7.2.

New work should respect the significance of a place through consideration of its siting, bulk, form, scale, character, colour, texture and material. Imitation should generally be avoided.

New work should be consistent with Articles 3, 5, 8, 15, 21 and 22.1.

These may require changes to significant fabric but they should be minimised. In some cases, continuing a significant use, activity or practice may involve substantial new work.

For many places associations will be linked to aspects of use, including activities and practices.

Some associations and meanings may not be apparent and will require research.

Article 25. Interpretation

The *cultural significance* of many *places* is not readily apparent, and should be explained by *interpretation*. Interpretation should enhance understanding and engagement, and be culturally appropriate.

Conservation Practice

Article 26. Applying the Burra Charter Process

26.1 Work on a *place* should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.

26.2 Written statements of *cultural significance* and policy for the *place* should be prepared, justified and accompanied by supporting evidence. The statements of significance and policy should be incorporated into a management plan for the place.

26.3 Groups and individuals with *associations* with the *place* as well as those involved in its management should be provided with opportunities to contribute to and participate in identifying and understanding the *cultural significance* of the place. Where appropriate they should also have opportunities to participate in its *conservation* and management.

26.4 Statements of *cultural significance* and policy for the *place* should be periodically reviewed, and actions and their consequences monitored to ensure continuing appropriateness and effectiveness.

Article 27. Managing change

27.1 The impact of proposed changes, including incremental changes, on the *cultural significance* of a *place* should be assessed with reference to the statement of significance and the policy for managing the place. It may be necessary to modify proposed changes to better retain cultural significance.

27.2 Existing *fabric*, *use*, *associations* and *meanings* should be adequately recorded before and after any changes are made to the *place*.

Article 28. Disturbance of fabric

28.1 Disturbance of significant *fabric* for study, or to obtain evidence, should be minimised. Study of a *place* by any disturbance of the fabric, including archaeological excavation, should only be undertaken to provide data essential for decisions on the *conservation* of the place, or to obtain important evidence about to be lost or made inaccessible.

In some circumstances any form of interpretation may be culturally inappropriate.

The results of studies should be kept up to date, regularly reviewed and revised as necessary.

Policy should address all relevant issues, e.g. use, interpretation, management and change.

A management plan is a useful document for recording the Burra Charter Process, i.e. the steps in planning for and managing a place of cultural significance (Article 6.1 and flow chart). Such plans are often called conservation management plans and sometimes have other names.

The management plan may deal with other matters related to the management of the place.

Monitor actions taken in case there are also unintended consequences.

28.2 Investigation of a *place* which requires disturbance of the *fabric*, apart from that necessary to make decisions, may be appropriate provided that it is consistent with the policy for the place. Such investigation should be based on important research questions which have potential to substantially add to knowledge, which cannot be answered in other ways and which minimises disturbance of significant fabric.

Article 29. Responsibility

The organisations and individuals responsible for management and decisions should be named and specific responsibility taken for each decision.

Article 30. Direction, supervision and implementation

Competent direction and supervision should be maintained at all stages, and any changes should be implemented by people with appropriate knowledge and skills.

Article 31. Keeping a log

New evidence may come to light while implementing policy or a plan for a *place*. Other factors may arise and require new decisions. A log of new evidence and additional decisions should be kept.

New decisions should respect and have minimal impact on the cultural significance of the place.

Article 32. Records

32.1 The records associated with the *conservation* of a *place* should be placed in a permanent archive and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

32.2 Records about the history of a *place* should be protected and made publicly available, subject to requirements of security and privacy, and where this is culturally appropriate.

Article 33. Removed fabric

Significant *fabric* which has been removed from a *place* including contents, fixtures and objects, should be catalogued, and protected in accordance with its *cultural significance*.

Where possible and culturally appropriate, removed significant fabric including contents, fixtures and objects, should be kept at the place.

Article 34. Resources

Adequate resources should be provided for *conservation*.

The best conservation often involves the least work and can be inexpensive.

Words in italics are defined in Article 1.

The Burra Charter Process

Steps in planning for and managing a place of cultural significance

The Burra Charter should be read as a whole.

Key articles relevant to each step are shown in the boxes. Article 6 summarises the Burra Charter Process.



Long Term Maintenance Plan, CPH, May 2017

Maintenance is an important process in the conservation of an item of heritage significance as defined in the Australia ICOMOS Burra Charter 2013. Article 1.5 defines Maintenance as "the continuous protective care of a place, and its setting". The following Cyclic Maintenance Plan identifies the ongoing regular maintenance actions in order to ensure the significant fabric of Block 2 is protected for a long time.

In preparing the Cyclic Maintenance Plan it is anticipated that immediate minor repair works will be carried out to halt any issues found in a close-up inspection are rectified.

Long Term Cyclic Maintenance Plan						
Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
URGENT MAINTENANCE (as they occur)						
	Blocked or broken stormwater and sewerage lines that require repair or cleaning.					
	Clearing of blocked box gutters and downpipes.					
	Damaged or defective light fittings and switches.					
	Broken water service or leaking faucets and toilet cisterns.					
	Failed light bulbs/fittings.					
	Storm damage to building fabric.					
	Vandalism or break and enter damage to windows and doors.					
	Broken or defective locks and latches, replacement of keys or lock cylinders.					
GENERAL						

Long Term Cyclic Maintenance Plan						
Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
<p>Avoid removal of original fabric as identified in the CMP;</p> <p>Avoid combining dissimilar materials that will react with each other;</p> <p>Ensure all exits are free from obstruction, avoid restricting with storage items;</p> <p>Inspect for loose, inadequate or damaged hardware. Ensure joinery elements operate satisfactorily;</p> <p>Avoid installing fans or air-conditioners in windows;</p> <p>Avoid replacing hardware that is not in keeping with the existing hardware.</p>						
EXTERNAL						
1	WALLS: BRICKWORK		<p>Inspect condition.</p> <p>Consult structural engineer if any significant cracks occur</p>	<p>Inspect for structural cracks, and patch repair where necessary matching the existing.</p> <p>Inspect for water penetration.</p> <p>Inspect for any signs of structural movements, if necessary, have a structural engineer to inspect.</p> <p>Repair as required.</p> <p>Ensure ventilation grills are not blocked or covered over.</p>		
	WALLS: TIMBER	<p>Inspect subfloor spaces for signs of rot and termites in the flooring and framing.</p> <p>Check external paint finishes for splitting or cracking that may indicate water penetration to the timber beneath.</p>		<p>Inspect for loose or missing boards, corner stops and mouldings. Check around window sills and where boarding is in contact with ground for weathering and potential decay.</p> <p>Inspect if the structural timber members are secure and true.</p>		

Long Term Cyclic Maintenance Plan Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
2	WINDOWS - TIMBER	Inspect for broken or cracked glass or putty.	Inspect for loose or damaged mouldings, architraves, fittings, decayed stiles at sill level, sashes, sash joints, decayed or broken sash cords and slipped and loose flashing.		Major repairs to external windows: Reset frames, check flashing and patch repair defective elements as necessary.	
			Check sound bird proofing is installed at the sills and install/repair as necessary.	Inspect for paint deterioration, rusting and weathering. Suitably prepare and paint every 7th year. Ensure fixing are secure.		
3	DOORS – TIMBER	Inspect for broken glass or cracked glass. Ensure doors operate smoothly.	Inspect for loose, decayed or damaged jambs, threshold s, fittings and ensure the doors operate smoothly.	Inspect for paint deterioration and weathering. Suitably prepare and paint.		
					Major repairs to external doors: Reset frames, check flashing and patch repair defective elements as necessary.	
4	METAL ELEMENTS		Monitor condition and corrosion. Repair and repaint as required.		Repair and repaint as required	

Long Term Cyclic Maintenance Plan Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
5	SANDSTONE	Inspect and monitor the condition.		Inspect for any signs of structural movement, if necessary have a structural engineer to inspect. Repair as required.		
6	ROOF COLORBOND METAL –		Inspect for corrosion of sheets, valleys and fixing. Treat minor corrosion with appropriate methods. Patch repair minor leaks. Inspect and clear valleys for leaf litter.	Inspect for loose or raised fixings, sheet edges and surfaces that are deformed from being walked on. Repair and replace as required.		Replace roofing as necessary
	ROOF - SLATE	Monitor condition and inspect for any signs of deterioration. Repair as required.				Replace as necessary.

Long Term Cyclic Maintenance Plan						
Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
	DRAINAGE – BOX GUTTERS, CAPPING, FLASHING,	Inspect gutters for rubbish and debris. Inspect gutter linings for corrosion and defective joints. Ensure stormwater drains are not blocked. Inspect for loose or slipped external flashing and broken mortar bedding. Inspect for vegetation growth at parapet and remove as required.				Inspect gutters for deformation, bent or squash from stepping over and inspect for over-strapping. Avoid replacing with non-compatible material.
			Inspect gutter and downpipe joints for cracks, loose or missing brackets Growth, moss or stains surrounding downpipes can indicate blockages. Check if downpipes are connected to the stormwater system and, if so, whether joints are sound. Check that stormwater drains are not blocked.			
8	PAVEMENT SURFACES	Inspect for ponding in pavement areas and re-level to ensure no ponding occurs. Allow to adjust pavement surface to create new levels and falls adjacent sumps. Remove and relay with new any areas.				
7	SEWERAGE DRAINAGE		Flush and video the drainage system to ensure that the drain lines are operational to full capacity of the pipe and there are no blockages. Clean out blocked and defective pipes.			

Long Term Cyclic Maintenance Plan Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
8	STORMWATER DRAINAGE		Flush all stormwater drainage to ensure downpipes, sumps and drain lines are operational to the full capacity of the pipe and there are no blockages. Clean out blocked and defective pipes. Repair cracked or leaking pipes.			
9	BOUNDARY FENCE - if installed	Inspect for any broken rods and corrosion.		Inspect for structural movement and corrosion. Repair and repaint as required.		
INTERNAL						
1	WALLS		Inspect for structural movements. Inspect for water penetration and paint deterioration. Inspect internal linings/finishes for signs of decay or damp. Inspect whether structural members are secure and true.		Inspect for any signs of structural movements, if necessary, have a structural engineer to inspect. Repair and repaint as required	
2	WINDOWS		Inspect for loose or damaged mouldings, architraves, and decayed stiles at sill level, sashes, decayed and broken sash cords, sash joints, and slipped and loose flashing. Check internal faces around windows for stains that can indicate failed flashing.			
				Inspect window sills, frames and sashes for paint deterioration, rusting and weathering.		

Long Term Cyclic Maintenance Plan Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
3	DOORS		Inspect for loose jambs, damage around locks, firm joints, damaged or missing mouldings and broken or cracked glazing. Check if door stops are installed or missing. Ensure the hardware is operational.			
				Inspect for paint deterioration. Re-paint as required.		
4	CEILINGS			Inspect for water penetration, stains and paint deterioration, and check for splits between ceiling linings/boards and the walls. Re-paint as required.		
5	FLOORS	Monitor condition		Repair and repolish as required,		
SERVICES & FITTINGS						
1	FIRE SERVICES	Inspect smoke detector controls and fire sprinklers according to services manual and authority regulations.				
2	HYDRAULIC	Inspect hot water system according to services manual and authority regulations. Inspect taps for drips, ease of operation and secured to walls or supports.				
3	ELECTRICAL	Inspect electricity services for damaged and loose fittings according to services manual and authority regulations. Inspect power supply according to services manual and authority regulations.				
4	STORMWATER / DRAINAGE	Inspect stormwater system for blockage and damage. Inspect sewerage system for damaged grates and blockage.				
5	LIGHT FITTINGS	Replace bulbs when required.				

Long Term Cyclic Maintenance Plan						
Newcastle East End - Blocks 3 & 4						
Ref. No.	Element	Every Year	Every 2 Years	Every 5 Years	Every 10 Years	Every 20 Years
6	SECURITY	Organise and provide 24-hour security protection until an alternative security system and management operation is in place.				

APPENDIX C

Inventory Sheets

Item Details

Name

Municipal Building

Other/Former Names

Address

121 Hunter Street NEWCASTLE NSW 2300

Local Govt Area

Newcastle

Group Name

Item Classification

Item Type

Unknown

Item Group

Unknown

Item Category

Unknown

Statement Of Significance

It contributes to the overall architectural character of the Hunter Street Mall and it is an interesting example of an Edwardian commercial building.

Assessed Significance Type

Local

Endorsed Significance

Local

Date Significance Updated

Listings

Listing Name	Listing Date	Instrument Name	Instrument No.	Plan No.	Gazette Page	Gazette Number
Local Environmental Plan	15/0/2012	Newcastle Local Environmental Plan 2012	I403			64
Heritage study						

Heritage Item ID

2170175

Source

Local Government

Location

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
121	Hunter Street	NEWCASTLE/NSW/2300	Newcastle	Unknown			Unknown	Primary Address

Description

DesignerBuilder/Maker

Construction Year Start & EndCircaPeriod
N0Unknown

Physical DescriptionUpdated

Three storey building of red brick construction. The buildings main feature is the circular windows with key stone inserts on the first and second storey which project up to the parapet cornice. Architect - Mr Silk National Trust - The ground floor facade was completely altered in connection with the Kern Market Square Development.

Physical ConditionUpdated

Modifications And Dates

Remodelled in 1939.

Further Comments

History

Historical Notes or Provenance

Updated

Historic Themes

Records Retrieved: 0

National Theme	State Theme	Local Theme
No Results Found		

Assessment

Criteria a)			
Historical Significance		Include	Exclude
Criteria b)			
Historical Association Significance		Include	Exclude
Criteria c)			
Aesthetic/Technical Significance		Include	Exclude
Criteria d)			
Social/Cultural Significance		Include	Exclude
Criteria e)			
Research Potential		Include	Exclude
Criteria f)			
Rarity		Include	Exclude
Criteria g)			
Representative		Include	Exclude
Integrity/Intactness			Updated

References

References

Records Retrieved: 0

Title	Author	Year	Link	Type
No Results Found				

Heritage Studies

Records Retrieved: 1

Title	Year	Item Number	Author	Inspected By	Guidelines Used
Newcastle Heritage Study	1990	2170175	Unknown		Yes

Procedures / Workflows / Notes

Records Retrieved: 0

Application ID / Procedure ID	Section of Act	Description	Title	Officer	Date Received	Status	Outcome
No Results Found							

Management

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Management Summary

APPENDIX D

Archaeological Assessment and AHIMS Searches



UrbanGrowth
NSW



The GPT Group

Aboriginal and Historical Archaeology Report

Newcastle East End
Staged Development Application



October 2015



ABORIGINAL AND HISTORICAL ARCHAEOLOGY REPORT

Newcastle East End – Staged
Development Application

FINAL

October 2015

**ABORIGINAL AND HISTORICAL
ARCHAEOLOGY REPORT**

Newcastle East End – Staged Development
Application

FINAL

Prepared by
Umwelt (Australia) Pty Limited
on behalf of
GPT and Urban Growth NSW

Project Director: Tim Adams
Project Manager: Nicola Roche
Report No: 3303/R01/V6
Date: October 2015



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This report was prepared using
Umwelt's ISO 9001 certified
Quality Management System.

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1.0 Introduction

Umwelt (Australia) Pty Limited (Umwelt) was commissioned to complete the Aboriginal and historical archaeological component of a Staged Development Application on behalf of GPT and UrbanGrowth NSW. The Staged Development Application relates to an area of land within the eastern section of inner-city Newcastle (hereafter referred to as the subject site) and seeks consent to an initial concept proposal for building envelopes and height, indicative landuse and floorspace allocation. The Staged Development Application does not seek consent for any works. This will be the subject of future development applications for subsequent stages. This report provides Umwelt's advice in relation to the likely key Aboriginal and historical archaeological requirements and associated processes and procedures which would apply to the subject site and any proposed future redevelopment of the subject site. In addition, it highlights a number of key risks and opportunities to minimise those risks.

1.1 Limitations

The advice provided within this report is limited to likely Aboriginal and historical heritage issues and future requirements. This report does not consider the built elements of the subject site. The built context of the subject site is the subject of advice provided by TDK Architects. This advice would not form the supporting documentation for any application under the *National Parks and Wildlife Act 1974* (NSW) or the *Heritage Act 1977* (NSW). Our advice does not represent legal advice or provide a legal interpretation of any statutory requirements that may apply to the subject site and/or the proposed development. Separate legal advice should also be sought, if required.

The information provided below has been formulated utilising draft reports previously prepared on behalf of GPT including the draft *Historical Archaeological Assessment: Proposed Newcastle CBD Project* (Umwelt 2009a) and the draft *Aboriginal Heritage Assessment: Proposed Newcastle CBD Project* (Umwelt 2009b). No additional research, assessment or comprehensive survey of the subject site has been undertaken during the preparation of this report.

1.2 Subject site

The subject site is located at the eastern end of the Newcastle City Centre between the Hunter Street and the Christ Church Cathedral. It fronts Hunter Street Mall and comprises the majority of the buildings across four city blocks, between Perkins, Hunter, Newcomen and King Streets.

The subject site has a total footprint of 1.66 hectares, is approximately 280 metres in length east to west along Hunter Street and approximately 90 metres in depth along Thorn Street.

The subject site can be generally described as:

- 105 to 153 (Lot 1 DP77846, Lot A&B DP388647, Lots 31&32 DP864001, Lot A 89504, Lot 1 DP84577, Lot 10 DP1043870), 163 (Lot 1 DP610140) and 169 to 185 Hunter Street (Lot 1 DP749729);
- 15 (Lot 1 DP195975), 21 (Lot B DP89504) and 31 Wolfe Street (, Lot 1 DP122380 and Lot 1 DP122381);
- 66-74 (Lot 1 DP819134), 98 (Lot 500 DP879162), 104 (Lot 1 DP718456), 108 (Lot 100 DP810457) and 110 King Street (Lot 1 DP735255);
- 22 Newcomen Street (Lot 1 DP331535);

- 3 Morgan Street (Lot 100 DP1098095, Lot 1 DP723967, Lot 98 DP1098034 and Lot 96 DP1098068); and
- 14 Thorn Street (Lot 1 DP84634).

The subject site is shown in **Figure 1.1** and **Figure 1.2**.

The subject site is within the Expanded Town Centre Archaeological Precinct of the Newcastle Archaeological Management Plan (AMP) prepared by Suturs Architects in association with Lavelle, Doring and Turner for Newcastle City Council in 1997 (refer to **Section 1.4** for further information regarding the AMP). The subject site is also within the study area of the Newcastle AMP Review 2013 prepared by Edward Higginbotham & Associates for the City of Newcastle (Council) in 2013 (refer to **Section 1.5** for further information regarding the AMP Review).



Image Source: Department of Lands (2006)

0 0.5 1.0 1.5 km
1:30 000

Legend

■ Subject Site

FIGURE 1.1
Locality Plan



Image Source: ARM Architects (2013)

0 20 40 80 m
1:1 500

Legend

Subject Site

FIGURE 1.2

Project Area

1.3 Statutory Context

The *Heritage Act 1977* (NSW), the *NSW National Parks and Wildlife Act 1974* and the *Environmental Planning and Assessment Act 1979* are the primary statutory controls protecting historical and Aboriginal heritage within New South Wales. All are discussed below.

1.3.1 Heritage Act 1977 (NSW)

The *Heritage Act 1977* (NSW) affords automatic statutory protection to 'relics' which form part of archaeological deposits (except where these provisions are suspended by other prevailing legislation). The *Heritage Act 1977* (Heritage Act) defines a 'relic' as any deposit, object or material evidence that:

- relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement; and
- is of State or local heritage significance.

Sections 139 to 145 of the Heritage Act prevent the excavation of a 'relic' (on non-State Heritage Registered land), except in accordance with a gazetted exception or an excavation permit issued by the Heritage Council of NSW.

The subject site has potential to contain historical archaeological 'relics' as defined by the Heritage Act (refer to **Section 3.3**)

1.3.2 National Parks and Wildlife Act 1974 (NSW)

The Office of Environment and Heritage (OEH) is primarily responsible for regulating the management of Aboriginal cultural heritage in New South Wales under the *National Parks and Wildlife Act 1974* (the NPW Act). The NPW Act is accompanied by the *National Parks and Wildlife Regulation 2009* (the Regulation), the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (DECCW 2010a), the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW* (DECCW 2010) and guides such as the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in NSW* (OEH 2011).

The NPW Act defines an Aboriginal object as:

...any deposit, object or material evidence (not being a handcraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales.

In accordance with Section 86(1) of the NPW Act, it is an offence to harm or desecrate a known Aboriginal object, whilst it is also an offence to harm an Aboriginal object under Section 86(2). Similarly, Section 86(4) states that a person must not harm or desecrate an Aboriginal place. Harm to an object or place is defined as any act or omission that:

- a) destroys, defaces or damages an object or place; or
- b) in relation to an object – moves the object from the land on which it had been situated; or
- c) is specified by the regulations; or
- d) causes or permits the object or place to be harmed in a manner referred to in paragraph (a), (b) or (c).

but does not include any act or omission that:

- e) desecrates the object or place, or
- f) is trivial or negligible, or
- g) is excluded from this definition by the regulations

Section 87(1) of the NPW Act specifies that it is a defence to prosecution under Section 86(1) and Section 86(2) if the harm or desecration of an Aboriginal object was authorised by an Aboriginal Heritage Impact Permit (AHIP) and the activities were carried out in accordance with that AHIP. Furthermore, Section 87(2, 4) establishes that it is a defence to prosecution under Section 86(2) (the strict liability offence) if due diligence was exercised to reasonably determine that the activity or omission would not result in harm to an Aboriginal object or if the activity or omission constituting the offence is a low impact act or omission (in accordance with Section 80B of the Regulation).

Consultation with the Aboriginal community is an integral part of identifying and assessing the significance of Aboriginal objects and/or places and determining and carrying out appropriate strategies to mitigate impact upon Aboriginal heritage.

The subject site has the potential to contain evidence of Aboriginal cultural heritage (refer to **Section 3.3**).

1.3.3 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) requires that consideration be given to environmental impacts – including heritage – as part of the land use planning process, and the provisions of the EP&A Act allow for the implementation of Local Environmental Plans (LEPs).

The subject site is within the defined boundary of the Newcastle City Centre Heritage Conservation Area, which is listed in Schedule 5 Environmental Heritage of the *Newcastle Local Environmental Plan* (LEP) 2012.

Clause 5.10 Heritage Conservation of the Newcastle LEP provides the statutory framework for heritage conservation in Newcastle. The objectives of Clause 5.10 include the conservation of archaeological sites, Aboriginal objects and Aboriginal places of heritage significance.

The *Newcastle Development Control Plan* (DCP) 2011 provides guidelines that support the LEP and includes specific objectives in relation to Aboriginal Heritage (Section 5.04 of DCP 2011) and non-Aboriginal archaeology (Section 5.06 of DCP 2011).

1.4 Newcastle Archaeological Management Plan (AMP)

1.4.1 Newcastle AMP 1997

The Newcastle AMP 1997 was prepared to give an indication of the nature and extent of historical archaeological resources in central Newcastle and to provide a framework to ensure historical archaeological resources are recognised and integrated into the urban planning framework.

While the AMP has no legal status, it is a planning tool that provides an overview of areas that require the consideration of archaeological issues in conjunction with any development applications.

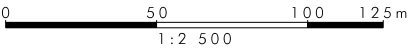
The AMP identified nine archaeological precincts within Newcastle that define areas 'in which a common pattern of development has occurred, and may be expected to contain an archaeological resource of some cohesive characteristic' (Suters 1997:40). The subject site falls within the Convict Settlement 1804 and the Government Town 1822 Precincts. The Convict Settlement precinct is defined in the AMP as the land between Wolfe and Pacific Streets, running from Church Street to the original harbour foreshore, approximately current Scott Street. The Government Town Precinct includes the area of the convict settlement, in addition to the land to the west, up to Brown Street.

Although the majority of the subject site falls within the Convict Settlement precinct as identified in the AMP, remains potentially relating to this period of settlement are unlikely to be present within the subject site; with the potential exception of along Newcomen Street and an early coal mine shaft, likely located in the northeast portion of the subject site. There is potential for remains associated with the Government Town to be dispersed across the entire subject site.

The subject site includes archaeological sites/items identified in the AMP. **Figure 1.3** illustrates the locations of these potential historical archaeological sites as identified in the AMP. Table 1.1 lists the scheduled items shown on **Figure 1.3** and identifies the original allotment associated with the item.



Data Source: Newcastle City Council, LPI NSW (2009)



- Legend**
- Subject Site
 - Potential Archaeological Sites Identified in AMP

FIGURE 1.3

Potential Archaeological Sites Identified
in the City of Newcastle Archaeological
Management Plan 1996/1997

Table 1.1 also lists the archaeological potential of these items; as identified in the AMP. The AMP identifies many of these items as having archaeological significance and recommends the preparation of an assessment report or the archaeological monitoring of any development in the area of the items.

Table 1.1 Scheduled items associated with the subject site

AMP Item No.	Address	Occupation History	Archaeological Potential
0110	154 Hunter Street <i>Note - subject site street frontage</i>	1830-1845 huts 1854 Market Place	Potential site
0113	103-105 Newcomen Street	1845-1854 allotments	Disturbed/ potential site
0114	18 Newcomen Street	1845-1854 allotments 1854 building	Potential site
0115	22 Newcomen Street	1845-1854 allotments	Potential site
0116	26 Newcomen Street	1830s buildings 1845 allotment 1854 allotment + buildings	Potential site
0117	28 King Street	1845 allotment 1854 allotment + buildings	Potential site
0132	1 Morgan Street	1845 allotment 1854 allotment	Potential site
0133	3 Morgan Street	1845 allotment 1854 allotment + buildings	Potential site
0134	109-111 Hunter Street	1845 allotment 1854 allotment + buildings	Potential site
0135	Laing Street	1830 coal pit 1854 coal shaft	Potential site
0136	98-100 King Street	1845 allotment 1854 allotment + buildings	Potential site

AMP Item No.	Address	Occupation History	Archaeological Potential
0137	16 Wolfe Street	1845 allotments 1854 allotment + buildings	Disturbed/ potential site
0138	Wolfe Street	1845-1854 allotments	Potential site
0139	147 Hunter Street	1845-1854 allotments	Potential site
0140	153-155 Hunter Street	1845-1854 allotments	Potential site
0149	159-163 Hunter Street	1845 allotment 1854 allotment + buildings	Potential site
0150	169 Hunter Street	1854 allotment + buildings	Disturbed /potential site
0151	114 King Street	1854 allotment	Potential site
1138	Newcomen Street	Hunt Club Hotel	Remains possible within existing building-
1139	Morgan Street	London Hotel	-
1144	Thorn Street	Globe Hotel	-
1146	Laing Street	1840 coal pit Graves possible in vicinity	Potential site

1.4.2 Newcastle Archaeological Management Plan Review 2013

In 2013 Council commissioned a review of the Newcastle AMP 1997. The Newcastle AMP review was completed in 2013. At present the 1997 AMP is still the current operative document. However, once endorsed by Council the Newcastle AMP Review 2013 will have to be considered in conjunction with any development application.

For the blocks comprising the subject site the Newcastle AMP Review 2013 indicates the potential presence of:

- penal settlement (Convict Settlement) remains - dispersed across all blocks; especially within the block bound by Newcomen, Hunter, Morgan and King Streets;
- potential penal settlement period burials - within blocks between Morgan and Thorn Streets;
- two potential early coal pits – in north portion of blocks bound by Newcomen, Hunter, Morgan and King Streets and Hunter, Morgan, Laing and Thorn Streets;
- town development (Government Town) period remains - dispersed across all blocks; and

- urban development (1853 onwards) – across all blocks.

For listings identified as potential archaeological sites the AMP recommends:

- An archaeological assessment report should be completed prior to consideration of a development application, including demolition of existing buildings or structures.
- The archaeological assessment report should make recommendations for conservation in situ, archaeological investigation, as well as interpretation and display.
- An excavation permit or permit exemption/exception under the Heritage Act should be obtained prior to disturbance of any of these sites (Higginbotham 2013 Vol 1:92).

Figure 1.4 illustrates the locations of the Newcastle AMP Review 2013 listings. Table 1.2 indicates the archaeological potential and significance of these listings; as identified in the AMP Review 2013.

Table 1.2 Newcastle AMP Review 2013 listings associated with the subject site

2013 AMP Review Listings	Address	Potential Remains and Significance	Identified Archaeological Potential
212 – Block 007	Blocks bounded by Hunter, Newcomen, King, Morgan, Laing and Thorn Streets, including part of Morgan Street	Penal Settlement, 1801-1821 (State). Town Development, 1820s-1853 (State). Urban Development, 1853 onwards (Local).	Most of the archaeological sites on this block are likely to have survived, except at 6 Newcomen Street and the northern part of 136-140 Hunter Street. One lot includes a building shown on the 1895-1896 map, which still survives at 146 Hunter Street, DP 62138. It is likely to retain archaeological evidence relating to its own occupation as well as for previous uses.
213 – Block 007	Block bounded by Hunter, Thorn, Laing, Morgan, King and Wolfe Streets.	Penal Settlement (includes burials), 1801-1821 (State). Town Development, 1820s-1853 (State). Urban Development, 1853 onwards (Local).	All of the archaeological sites on this block are likely to have survived. The block includes a number of buildings shown on the 1895-1896 map, which still survive. They are likely to retain archaeological evidence relating to their own occupation as well as for previous uses.

2013 AMP Review Listings	Address	Potential Remains and Significance	Identified Archaeological Potential
227 - Block 016	Block bounded by Hunter, Wolfe, King and Perkins Streets	Town Development, 1820s-1853 (State). Urban Development, 1853 onwards (Local).	All the archaeological sites on this block are likely to survive. Buildings.

It is noted that the reference to potential penal settlement remains (including burials) within the subject site and immediate surrounds has significant implications, as discussed below.

Note: any remains found within the subject site associated with the convict and town development (Government Town) periods have been assessed in the Newcastle AMP Review 2013 as being of State significance. As discussed in **Table 1.2** the Newcastle AMP Review 2013 identifies that most archaeological sites are likely to have survived. However, at this time it is not possible to accurately predict if archaeological remains dating from these periods are presently intact beneath the current built form of the subject site. It is important to note that the physical condition/intactness of archaeological remains and associated deposits must be considered when assessing the significance of archaeological remains. As a result, the potential significance of any archaeological remains (particularly in terms of archaeological significance/archaeological research potential) can be reconsidered once the level of intactness of the remains is known (following excavation or test excavation for example).

Note: The Heritage Council of NSW may require consideration of *in situ* retention of State significant remains (refer to **Section 5.3**).

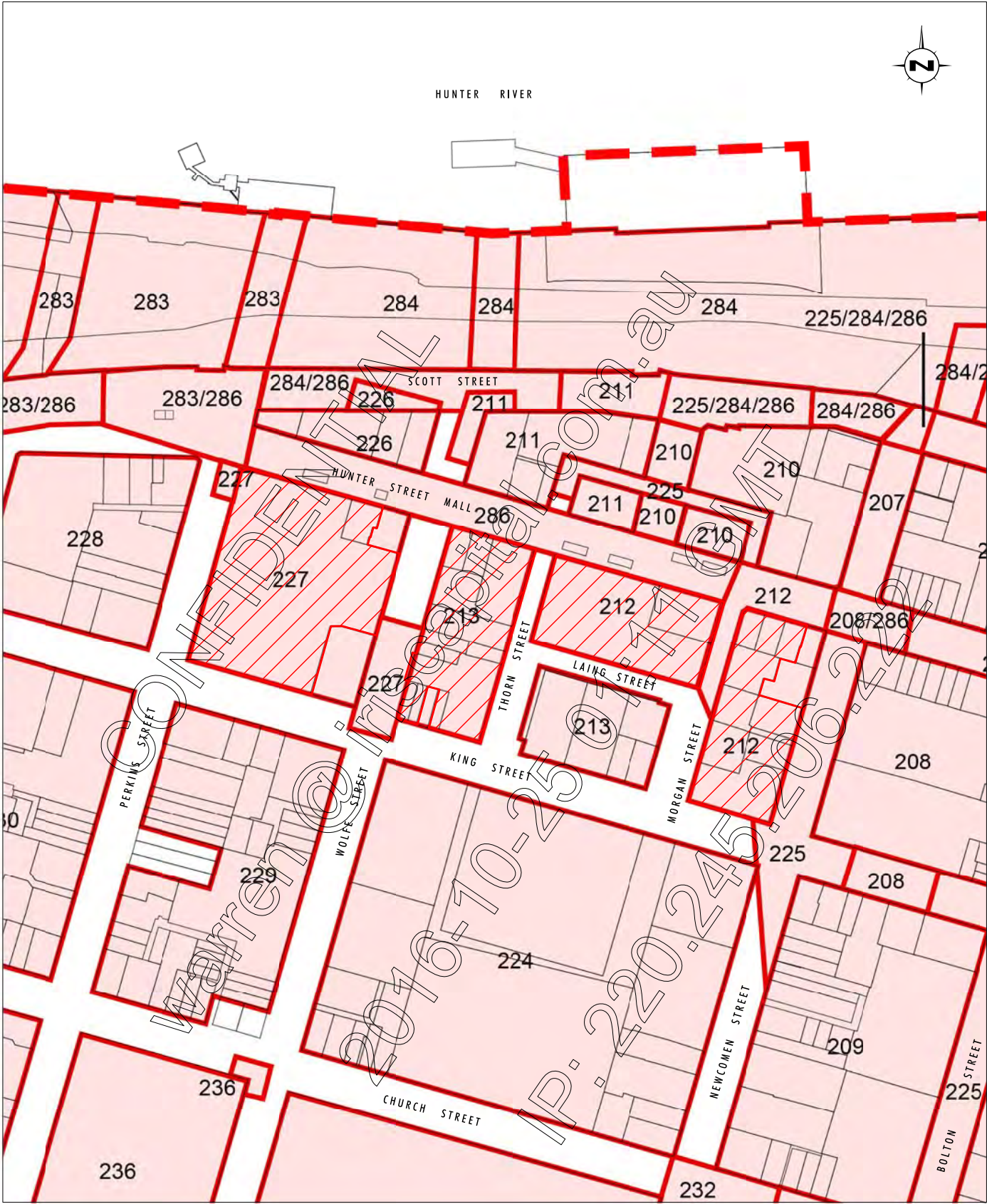


Image Source: Edward Higginbotham & Associates Pty (2013)

0 50 100 125m
1:2 500

Legend

- Subject Site
- Study Area of AMP Review 2013
- Potential Archaeological Sites Identified in AMP Review 2013

FIGURE 1.4

Potential Archaeological Sites Identified
in the City of Newcastle Archaeological
Management Plan Review 2013

1.5 Draft Newcastle Archaeological Management Strategy

Council's Newcastle Archaeological Management Strategy (adopted on 20 August 2015) provides a framework for managing the archaeological resources of the Newcastle city centre, including the subject site. The strategy is supported by the Newcastle AMP 1997 and the Newcastle AMP Review 2013.

The Strategy identifies that if the Newcastle AMP Review 2013 indicates a subject site has a strong potential for archaeological 'relics' an archaeological assessment should be prepared by an archaeologist to determine the level of significance (state or local) and the extent of the 'relic' or archaeological site. The Strategy further comments that the assessment should be submitted with the development application so it can be referred to the Heritage Division, OEH.

The Strategy recommends that potential archaeological sites identified in the Newcastle AMP 1997 and Newcastle AMP Review 2013 be considered for listing in the Newcastle LEP if of local significance and on the State Heritage Register if of state significance.

1.6 Previously Recorded Aboriginal Archaeological Sites

A search of OEH's Aboriginal Heritage Information System (AHIMS) was undertaken on 5 March 2014 and updated on 23 June 2015. The updated search identified 79 previously recorded Aboriginal archaeological sites within an area of approximately 10 kilometres by 10 kilometres centred on the subject site. The sites consist of 30 artefact scatters or isolated artefacts, 21 Aboriginal resource and gathering locations, 10 ceremonial/ dreaming story sites (including one with associated shell midden material), 11 potential archaeological deposits, two grinding groove sites, two shell middens, one quarry, one burial and one stone arrangement.

As shown in **Figure 1.5**, the majority of sites on the southern side of the Hunter River fall into two clusters: one in the western portion of inner-city Newcastle and associated with the shoreline of the Hunter River; and the second consisting of sites within the eastern portion of Newcastle surrounding the subject site. Of the sites within this cluster, seven (two potential archaeological deposits, four artefact scatters and one dreaming story site) are located within 1 kilometre of the subject site, with the remaining site (a potential archaeological deposit) located within the subject site. The site was recorded in relation to geotechnical works previously undertaken in relation to the proposed development, as discussed in **Section 3.1**.

Based on this summary of existing records, it is apparent that the number of sites identified within inner-city Newcastle is relatively low. However, the AHIMS database does not form an exhaustive record of archaeological sites and also primarily documents those sites that have been identified as a result of archaeological investigations. Furthermore, due to the highly developed nature of inner-city Newcastle, there is limited potential for the detection of Aboriginal archaeological sites, except during the development process when the original ground surface may be exposed. Thus, the low number of Aboriginal archaeological sites identified within inner-city Newcastle should not be considered to imply limited use of the area by Aboriginal people nor should it simply be interpreted as demonstrating limited archaeological potential, as will be discussed further below.



Image Source: Department of Lands (2006)
Data Source: AHIMS Data Base (2014)

Legend

- Subject Site
- Artefact Scatter / Isolated Artefact
- ☆ Ceremonial Site
- ⊙ Potential Archaeological Deposit

FIGURE 1.5

AHIMS Archaeological
Site Locations

2.0 Environmental, Cultural and Historical Context

In order to adequately understand the likely archaeological expectations for the subject site, it is critical to understand the factors that may influence both the likely occurrence and preservation of archaeological remains. This involves consideration of the environmental, cultural and historical context of the area. With reference to the cultural context of the subject site it is noted that the information provided below reflects the outcomes of previous consultation with members of the local Aboriginal community, who may also wish to provide additional information in association with future stages of the DA process.

2.1 Environmental Context

The available soil landscape mapping for the subject site indicates that the north-west corner of the subject site is defined by deep alluvial sands and that the steep slopes leading away from the Hunter River are also characterised by deep sands. Historical photographs dated from the mid to late 1800s (photograph looking south along Perkins Street – refer to **Figure 2.1**) and 1961 (photograph showing site clearing and excavation works for the construction of the King Street car park – refer to **Figure 2.2**) further demonstrate the presence of deep sands on the hillslopes of the subject site. Historical plans also demonstrate the nature of the sand hills to the south of the Hunter River; with an 1830 cross section by John Armstrong extending through the subject site illustrating a deep layer of sand above steep bedrock slopes (refer to **Figure 2.3**).

The potential occurrence of deep alluvial deposits and natural wind-blown sands within the subject site has implications in relation to the potential presence of an Aboriginal archaeological resource (refer to **Section 3.3**).

The subject site is currently located between approximately 1 to 1.5 kilometres south of the Hunter River. However, prior to construction of the breakwall to Nobbys Head the shore of the Hunter River would have been closer to the subject site. This in turn meant that the subject site allowed relatively easy access to the rich estuarine resources of the Hunter River and also the nearby marine resources of Newcastle Beach and the rocky outcrops at the beach. These included not only plant and animal resources but also outcropping tuffs that were suitable for manufacturing flaked stone tools which are frequently found in archaeological sites in the local area (for further details refer to **Section 2.2**).

Results of geotechnical work conducted within the assessment area by Douglas Partners also provide valuable information on soil depth, soil profile and the presence of both natural sands and introduced fill within the subject site (refer to **Section 3.1**).

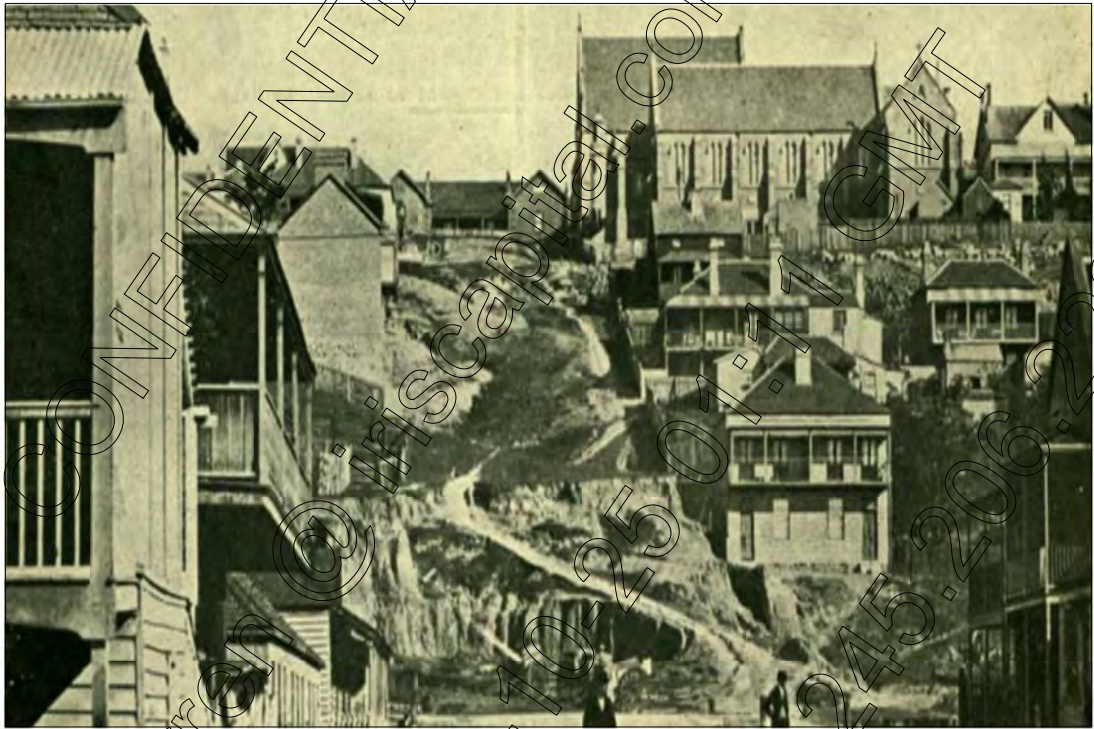


FIGURE 2.1

Photograph (likely mid-late 1800s) looking south along Perkins Street. The houses on the left of the photograph are within the Subject Site, the cut edge centre foreground is likely to be located along the south side of King Street. St Marys Star of The Sea Catholic Church on the corner of Perkins and Church Streets is shown at right rear of photograph



FIGURE 2.2
1961 photograph showing site clearing and excavation works for the construction of the King Street Car Park. Note the depth of excavation through the natural soil profile of the site - shown as pale deposits on the right of photograph. King Street is located outside the photograph to the right



Image Source: Alexander Turnbull Library, The National Library of New Zealand MapColl os817gbhm/1830/Acc.3327

FIGURE 2.3

Detail of 1830 Plan by John Armstrong showing
Section through Subject Site

2.2 Cultural Context

The Newcastle CBD, known as *Mulubinba*, is within the traditional country of the Awabakal people, whose history extends from the present day back many thousands of years. *Mulubinba* is a significant place in the Awabakal cultural landscape, reflected through both the tangible evidence of Aboriginal history (archaeological sites) and the intangible and continuing connection to country (cultural and spiritual attachment).

Prior to European contact, the shorelines of the Hunter River estuary and coast would have provided a range of reliable and easily accessible resources for Awabakal people, such as fresh water from the estuary and springs in the immediate area (such as near the corner of Wolfe and King Streets), a range of aquatic fauna and migratory birds from the estuary and coast lines, and rhyolitic tuff for stone tool manufacture from Nobbys Island (*Whibayganba*).

Intensive occupation of the Newcastle CBD by Aboriginal people over many generations created large midden sites along the Hunter River foreshore, the deep sands of which were also known to have been used for burials. It is noted that the occupation of Australia by Aboriginal people represents by far the lengthiest human use of the continent and that, by comparison, the occupation of Australia by non-Aboriginal people has been of short duration albeit associated with significant impacts.

With the arrival of European settlers in the 1770s, traditional patterns of Aboriginal life throughout New South Wales were quickly and dramatically altered, through disease, displacement, forced movement and assimilation. Newcastle, one of the earliest European settlements in Australia, was no exception to this, but its history is also characterised by the development of unique relationships between Awabakal people and early European settlers.

Perhaps the single-most important source of ethnohistoric information for the Awabakal people was the missionary, Lancelot Threlkeld, who established a mission at Belmont and subsequently at Toronto on Lake Macquarie and collected extensive information about the Awabakal people and their language in the period 1825-1841. While records also exist of corroborees or ceremonial events being undertaken in the Newcastle area, there are very few other records of the spiritual beliefs and practices of the Awabakal people, with the notable exception of the recording of two locations (Nobbys Head and Newcastle Beach) associated with spiritual beliefs that featured in the worldview of the Awabakal (refer to Umwelt 2009b).

However, whilst they may be briefer than those provided by Threlkeld, from the very early period of exploration and settlement of Newcastle there are records of interactions between the Awabakal and the newly arrived non-Aboriginal people. These include descriptions of encounters with Aboriginal people during Lieutenant Grant's expedition to the Hunter River in 1801, at which time the quantity of oyster shell built up in middens along the Hunter River was remarked upon. More extensive interactions logically followed the establishment of the second penal settlement in 1804, including records of Awabakal people returning escaped convicts to settlement officials, possibly in retribution for the manner in which escaped convicts attacked Awabakal families. Records exist of Awabakal people receiving gifts of blankets, tobacco and other supplies in thanks for their involvement (Roberts 2003).

Accounts from 1819 and 1820 record the punishment of non-Aboriginal men for the mistreatment of Aboriginal men, including the execution of John Kirby (refer to Umwelt 2009b). In addition, early artworks from the period by T.R. Browne, Joseph Lycett, Walter Preson and Joseph Cross all show Aboriginal camps bordering the developing settlement between 1812 and 1828. This does not in any way imply that the ongoing development of Newcastle was positive for the Awabakal people. Rather as Newcastle expanded following the closure of the penal settlement in 1823, the Awabakal were increasingly struggling to access their land and resources within the settlement itself. This is demonstrated by the records of violent clashes between the Awabakal and non-Aboriginal people in the 1830s in the Lake Macquarie area (Umwelt 2009b).

A newspaper account in 1830 (in Turner 1997:12) indicated that the number of Aboriginal people within the Newcastle settlement at the time was equal too (if not greater than) the non-Aboriginal population and that Aboriginal people provided services to the 'lowest classes' such as carrying wood and water and received 'small pieces of tobacco or a cob of corn' in return. Blanket distribution records from 1833 list 117 Aboriginal people in Newcastle, but only 29 Aboriginal people were listed on a blanket return from 1846 (Umwelt 2009b), indicating a significant downturn in population although these records may not be directly comparable.

In reviewing the numbers of Aboriginal people living within his mission, Threlkeld indicated that the number of Aboriginal people occupying the Belmont, and subsequently Toronto missions, significantly decreased as a result of both the effects of disease and the ongoing attraction of employment in Newcastle. On the latter topic, Threlkeld (in Umwelt 2009b) stated that Aboriginal people were 'employed' in the Newcastle settlement as fishermen, water carriers, messengers, servants and on board ships. He also noted that while Aboriginal people were living in camps at Newcastle, it was 'being sold out from under their feet, and only the sea-beach, one hundred feet from the high water mark, is the place on which they may rest their heads beneath burning sun or pitiless storm' (refer to Umwelt 2009b). This demonstrates the ongoing presence of Aboriginal people within proximity to the subject site. However, subsequent records of Aboriginal people living or working within the Newcastle CBD are relatively rare until the modern period. This does not demonstrate the absence of Awabakal people or Aboriginal people more broadly from the area but is probably symptomatic of the increasing marginalisation of Aboriginal people resulting from the expansion of the settlement.

The experience of Aboriginal people in NSW since European contact has also been one of movement, forced or otherwise, which has seen Aboriginal people from other traditional countries come to the area and develop their own attachments to Newcastle. The history of the Newcastle CBD (*Mulubinba*) therefore spans the traditional and ongoing Awabakal connection to country, the attachment to place experienced by other Aboriginal people, European settlers and other migrant peoples since 1788 and the shared history of all.

2.3 Historical Context

2.3.1 Exploration (1770 – 1804)

Captain James Cook sailed past Stockton Bight in 1770, noting only Nobby's Island and Port Stephens. The first knowledge of the Hunter region and its coal reserves came in 1791 through tales told by escaped convicts. In 1797 Lieutenant John Shortland entered the Hunter River estuary and came ashore along Stockton Bight during a search for escaped convicts. He discovered the coal resources responsible for much of the later European settlement in the wider Hunter region.

Governor Philip King sent an expedition in HMS Lady Nelson, which arrived off the mouth of the Hunter River on 14 June 1801, to make a more systematic exploration of the area. As a result Governor King decided to establish a permanent settlement in the area, however the venture failed within six months and the convicts and their overseers were evacuated back to Sydney (Turner 1997:7).

2.3.2 Penal Settlement (1804 to 1822)

It was not until 1804 that Newcastle was resettled as a penal colony with Watt Street, to the east of the present Newcastle CBD area, forming the settlement's main street.

The penal settlement was founded under the administration of Lieutenant Charles Menzies with 34 Irish prisoners, exiled by Governor King for their role in the Battle of Vinegar Hill of 1804. The expedition to found the new settlement left Sydney on 28 March 1804. Menzies named the new settlement Kingstown, but Governor King's own choice, Newcastle, prevailed. At its peak in 1821 the population of the penal settlement was more than 1100.

The penal settlement was closed in 1823 in favour of a penal colony at Port Macquarie (Turner 1997:14). Little is known of the specific usage of the subject site during Newcastle's period of convict settlement prior to the laying out of the town plan in 1823.

2.3.3 Newcastle's Government Town (1823 to 1853)

With the closure of Newcastle's penal settlement assistant surveyor Henry Dangar established the Newcastle town plan, the core of which makes up the current Newcastle CBD. Dangar imposed a regular grid plan on the more disorganised penal settlement.

Existing streets were realigned and renamed. Three new principal streets were established aligned east to west along the ridgelines and named after governors Hunter and King, and the existing Christ Church. The intersecting cross streets were named after engineers contributing to the discovery of steam: James Watt, Matthew Bolton, Thomas Newcomen, James Wolfe, and Thomas Perkin. In laying out the town plan the intention was to prepare the town for its role as a port to service the rapidly developing Hunter Valley (Turner 1997:12).

In response to Dangar's town plan, allotments were set out within the subject site, with the exception of a market reserve located between present Thorn and Morgan Streets. John Armstrong's 1830 Plan of Newcastle indicates the cleared nature of the area, a coal pit and what could be the first residential structure in the subject site fronting Newcomen Street (refer to Figure 2.4). Present day 3 to 5 Morgan Street is believed to be the location of the 1827 or 1828 constructed Crooked Billet Inn. By 1854 several other structures had been constructed within the subject site concentrated in the western area of the site (refer to Figure 2.5). The subsequent built development of the area over the nineteenth and first half of the twentieth centuries was generally determined by the allotments set out following the establishment of the 1823 town plan.

2.3.4 Development and Expansion (1853-1900s)

The population of Newcastle remained very low until the 1850s, with the commercial and industrial development of the area hampered by inefficient land transport (Suters 1997:2/2).

It was not until 1860 when the pace of development increased dramatically with the mixed commercial nature of the Hunter Street frontage contrasting to the light industrial development that occurred to the rear of Hunter Street (including warehouses, stables, blacksmith's shops and joinery workshops) and residential dwellings that were restricted to the upper area of King Street.

The market reserve remained largely undeveloped until 1869 when three blocks within the reserve were granted to Newcastle Borough Council for markets and the remainder of the reserve subdivided and sold (Tanners 2007:42). Prior to 1869 the market reserve appears to have been undeveloped ground that may have formerly been used as a burial place by Awabakal people and early European settlers. The early coal mine shaft was also located within the area of the market reserve. The council markets remained until 1915 when the Council Markets Building was demolished and its site transformed into the Strand Theatre under lease from the Council (Tanners 2007:44).

Note: Burials are considered to be a potential archaeological risk for the proposed development (refer to Section 5.5)

The intermediary laneways of Thorn, Morgan and Laing while not dedicated as reserved roads until 1887, are likely to have been planned as part of the overall market reserve as approaches to the market and appear on plans dating to the 1860s. Reflecting the council's role in this, the streets are named after mayors of the 1880s, including Dr W. Cosby Morgan and William Laing (Tanners 1997:41).

Refer to **Figure 2.6** showing the extent of development across the subject site by 1897.

2.3.1 Larger Scale Commercial Development (1900 to present)

Larger scale commercial developments into the twentieth century removed many of the nineteenth century commercial structures and residential structures. The largest and earliest of these new developments was Scott's Ltd. In 1908 Scott's opened a new purpose built store on the corner of Hunter and Perkins Streets. In 1957 Sydney based retailer David Jones bought Scott's, undertook extensive renovations in 1958 and constructed a new car parking station at the rear of the store on the corner of King and Perkins Street in 1967. The majority of the smaller extant businesses in the area were established in the late nineteenth century and expanded their operations over the early twentieth century.

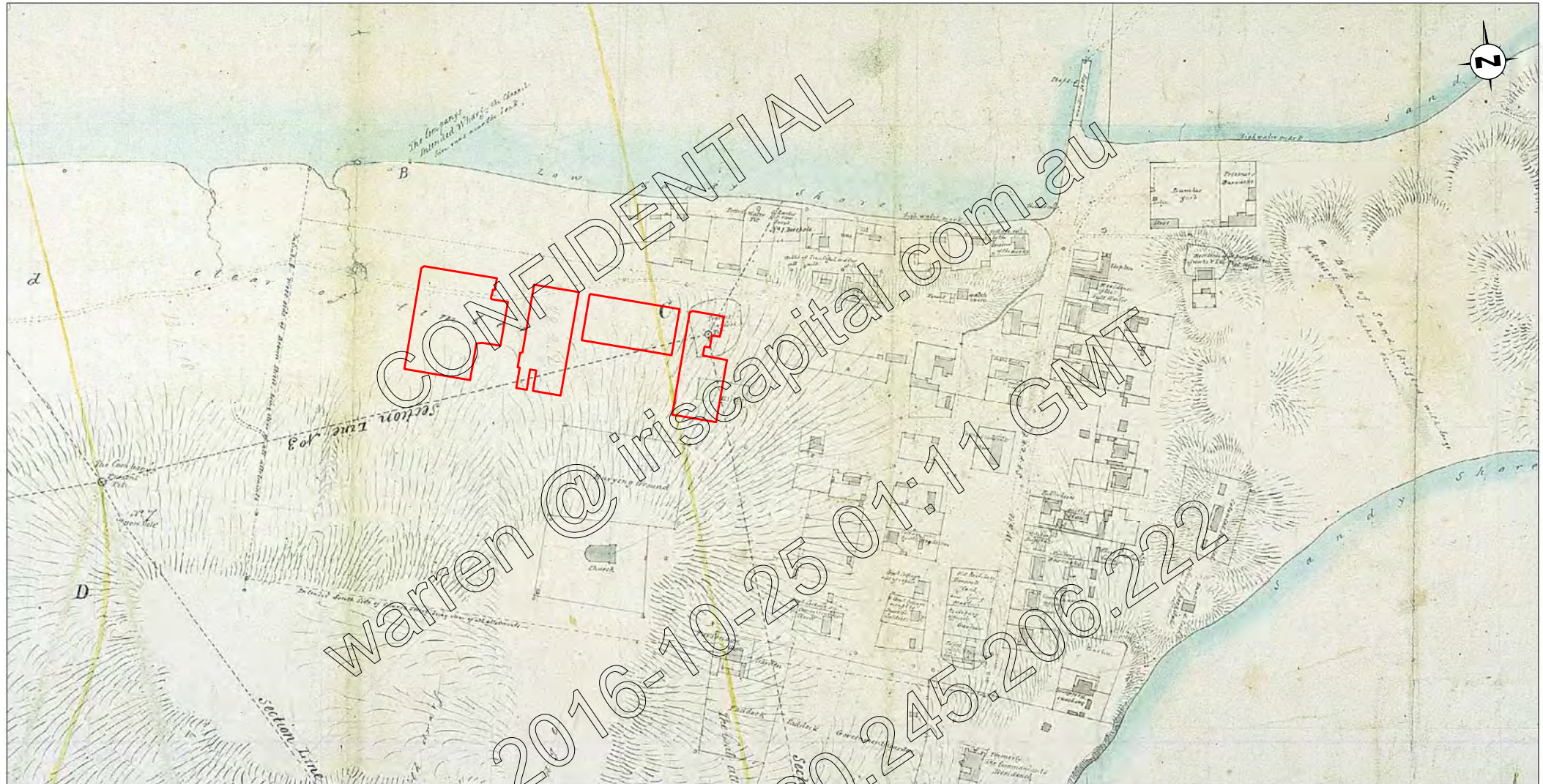


Image Source: Alexander Turnbull Library, The National Library of New Zealand MapColl 817.95gbbe/1880/acc.3580

Note: the Early Settlement of Newcastle is to the East of the Area of the Proposed Project Area which has been Cleared of Trees

Legend

Approximate Location of the Subject Site

FIGURE 2.4

Detail of 1830 Plan of Town of Newcastle by John Armstrong
Australian Agricultural Company Surveyor

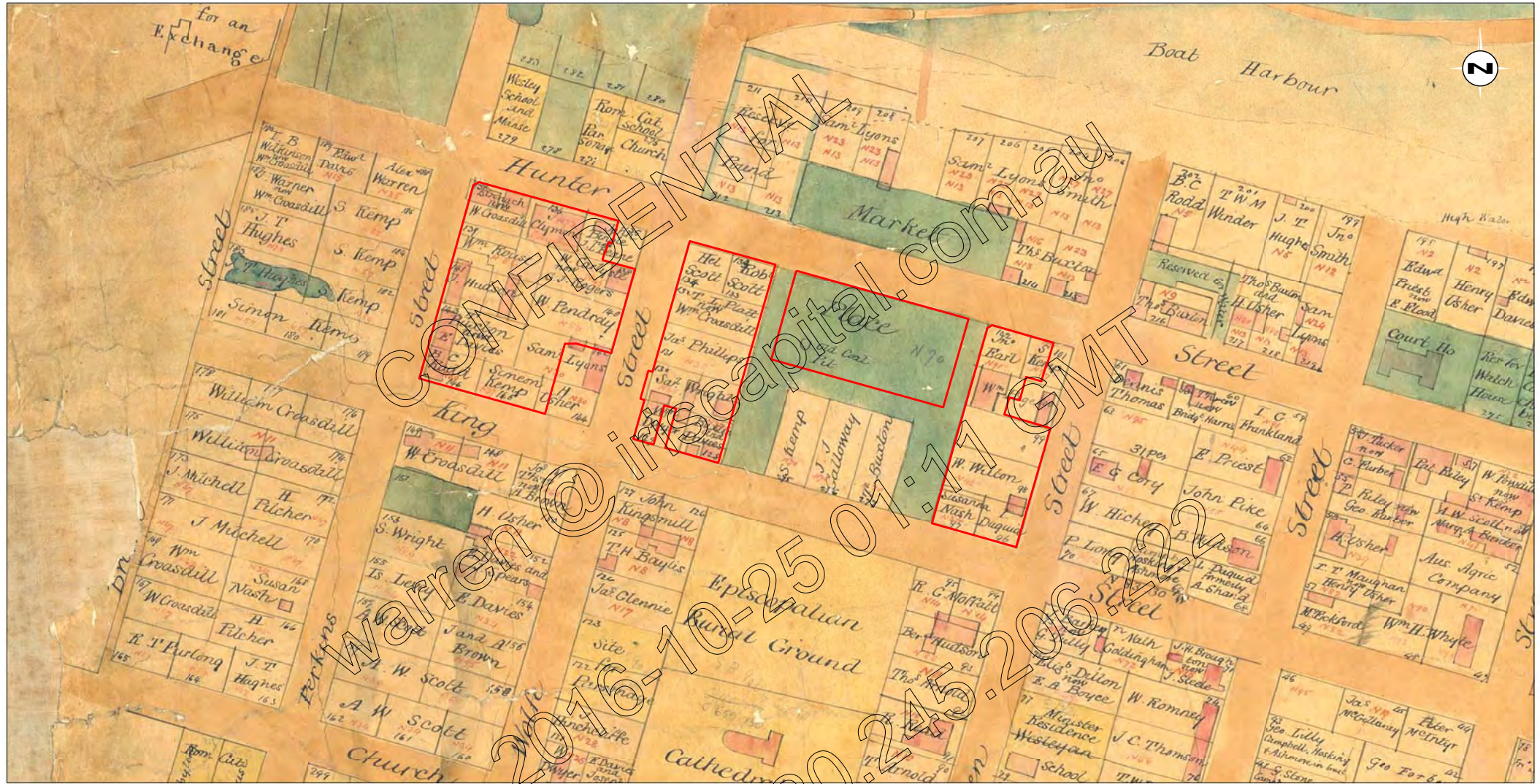


Image Source: Newcastle Region Library - Local Studies Section LHMB 333.3/90

0 25 50 100m
1:2 500**Legend**
 Subject Site

FIGURE 2.5

Detail of 1854 Plan of the City of Newcastle

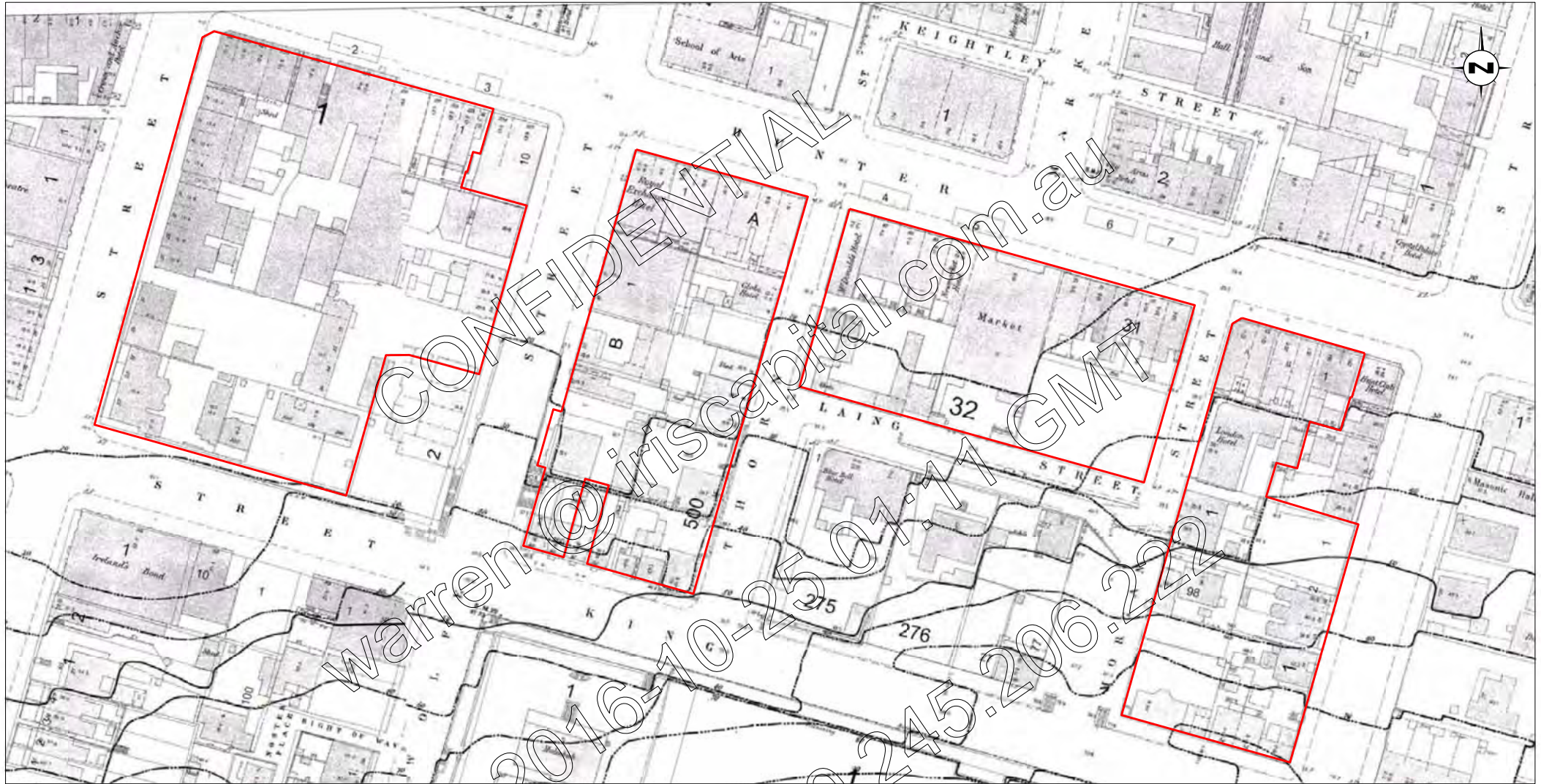


Image Source: Monteath & Powys Pty LTD and Department of Lands/Douglas Partners
 Note: Locations of potential wells/cisterns and cesspits/privies at the rear of the properties

0 20 40 60 m
 1:1 250

Legend

Subject Site

FIGURE 2.6

Detail of 1897 Survey Map of Newcastle

3.0 Archaeological Context

3.1 Geotechnical Investigations

Geotechnical investigations can be used to indicate where natural soil profiles have been modified and assist to locate where disturbances such as construction, landscaping and demolition have left evidence in the soil profile. Geotechnical samples can also indicate the locations of archaeological deposits and any disturbance that may have occurred to the archaeological resource.

Douglas Partners undertook a program of geotechnical investigations within and around the subject site in 2007 and 2008. The deposits recovered from the boreholes indicate the potential for cultural deposits across the subject site. In accordance with Aboriginal Heritage Impact Permit #1092227, some soil samples recovered from boreholes were retained for archaeological inspection. Historical and Aboriginal artefacts were identified within the soil samples with the Aboriginal artefacts being recovered from the boreholes along the Hunter and Perkins Street frontages.

The presence of fill material and/or deposits containing historical and Aboriginal artefacts above the natural soil profile of the area (borehole logs indicate sands or sand and clay deposits beneath the upper fill deposits) indicate the potential for surviving historical archaeological remains/deposits while the presence of a natural soil profile (although disturbed by the history of development of the area) and the presence of Aboriginal artefacts indicate the potential for the presence of an Aboriginal archaeological resource.

3.2 Previous Archaeological Investigations

A number of archaeological studies and investigations (both historical and Aboriginal) have been undertaken in the vicinity of the subject site.

Previous Aboriginal archaeological investigations in the Newcastle area demonstrate that in spite of the development of the city over the past 190 years, *in situ* evidence of Aboriginal occupation of the area, both pre and post contact is still present. References dating back to the 1920s mention evidence of middens extending for miles along the river bank, with stone artefacts revealed by erosion and other causes (Thorpe 1928: 241- 243). During the 1970s, Dyll undertook research along the Newcastle coastline, which identified that the majority of Aboriginal sites in the region were located on ocean, estuary and Lake Macquarie waterfront – with coastal campsites normally located at the rear of the beach (Dyll 1971:55).

More recent archaeological excavations have been undertaken in the Newcastle city area; with Aboriginal artefactual material being found during the excavations. The Newcastle Civic Centre excavation contained three artefacts (GML 1997). Excavations at 700 Hunter Street recovered nearly 6000 Aboriginal stone artefacts (Douglas *et al* 2001). Salvage works at the former Palais Royal (684 Hunter Street) site recovered a further 5500 Aboriginal objects (AHMS 2011). Closer to the city centre excavations have also identified Aboriginal artefacts in the natural layers and post contact layers where imported fill has been introduced as part of land reclamation/construction (Insite Heritage 2005).

Historical archaeological excavation at sites such as 200-212 Hunter Street and 73-77 King Street, and more recently 9 Watt Street, which have a similar history of development as the subject site revealed archaeological remains dating from the nineteenth century (Insite, nd, AMAC Group, pers. comm.).

3.3 Archaeological Potential

3.3.1 Previous Disturbance

In assessing the archaeological potential of the subject site it is important to fully understand the level of potential disturbance to the archaeological resource. For example, the presence of basement or cellar levels in extant structures or episodes of previous bulk excavation/levelling, often required to produce level areas suitable for construction on naturally sloping sites or in areas with sandy soils, can preclude the potential for archaeological remains in a particular location.

Figure 3.1 illustrates the approximate level of disturbance/excavation that has occurred as a result of the buildings currently extant within the subject site, identified by Umwelt in 2009 (Umwelt 2009a).

Note: at the time of the 2009 assessment information or access to identify the presence or absence of cellars and basement levels was not available across the all of the properties within the subject site. Further property specific information/inspections could clarify the nature of the subsurface impacts associated with the current extant building stock and better inform future assessment of archaeological potential as part of future Development Application documentation.

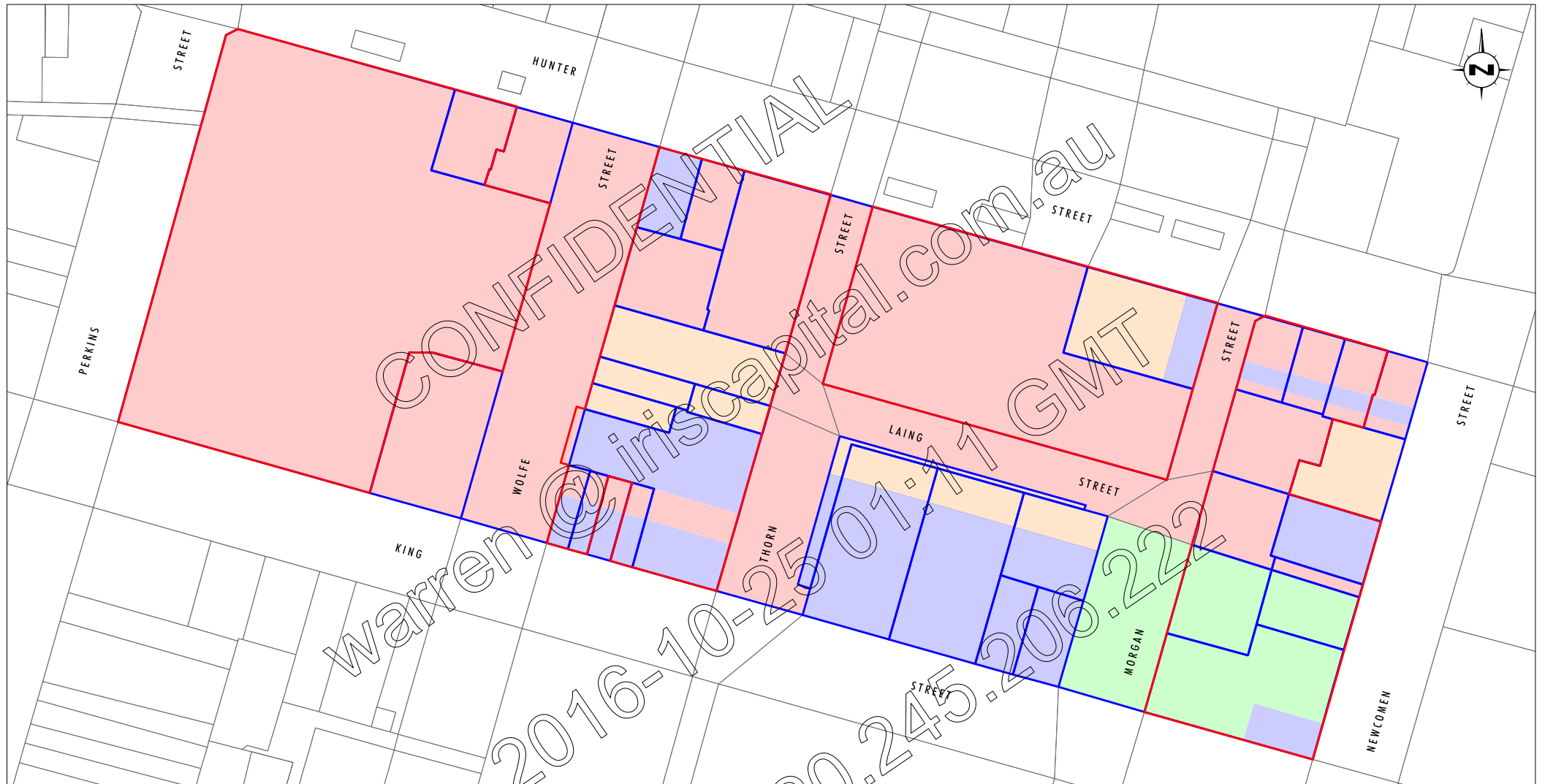
In known areas of deep excavation Aboriginal or historical archaeological deposits are highly unlikely to occur. However, although the subject site has been subject to extensive disturbance, portions of the area may not have been subject to major excavation and it is possible that Aboriginal and historical archaeological deposits could be retained in these portions of the subject site.

The sloping nature of the ground surface, for example in the southeastern half of the subject site, can result in the need for buildings to be either cut into the slope or built up from the slope to produce a level building platform/floor. Newcomen, Morgan and the southern portions of Thorn and Wolfe Streets slope steeply from the higher ground at the south of the subject site to the flatter northern area of Hunter Street.

Extant structures have been cut into the slope, potentially disturbing any below-ground archaeological resource. However, it is likely that terracing into the natural slope of the land, or the importation of fill, would have also been undertaken associated with the construction of the earlier buildings within the subject site. If earlier buildings were terraced into the hillside to provide a level building platform then there are likely to be remains of the earlier structures present beneath the extant built footprint of the subject site.

3.3.2 Aboriginal Archaeological Potential

It is anticipated that past Aboriginal use of the Newcastle CBD (*Mulubinba*) would have resulted in deposition of significant quantities of archaeological material due to its extensive use over a significant period of time. Sites expected to have occurred within the locality include artefact scatters/isolated artefacts, shell middens, sites containing evidence associated with early contact with non-Aboriginal people (for example, glass that has been flaked in a similar fashion to stone to make tools) and burial sites, both pre- and post-contact. However, as discussed in **Section 3.3.1**, the subject site has been subject to extensive modification since European contact, and this may have resulted in the total or partial loss of Aboriginal archaeological deposits. Conversely, some sections of the subject site have not been subject to deep excavation since European contact, and in these areas, archaeological deposits may be retained, although subject to some level of disturbance.



Data Source: Monteath & Powys Pty LTD

 0 20 40 60 m
 1:1 250
Legend

- ▬ Subject Site
- ▬ Past Disturbance Area
- Major Disturbance - Previous Deep Excavation/Existing Basement
- Major Disturbance - Likely Previous Deep Excavation/Existing Basement
- Moderate Disturbance - Extent/Depth of Previous Disturbance Unknown
- Minor Disturbance

 File Name (A4): R01/3303_010.dgn
 20150623 9.28

FIGURE 3.1

 Past Disturbance within
 Proposed Subject Site

3.3.3 Historical Archaeological Potential

Historical records indicate that the majority of the subject site likely remained undeveloped until the mid nineteenth century, when development of individual allotments established as part of Dangar's town plan in 1823 commenced for commercial, light industrial and residential use. By the 1870s most of the subject site had been developed.

As discussed, the Newcastle AMP Review 2013 identifies the potential for Penal Settlement related remains, however, the majority of the potential historical archaeological deposits of the subject site are likely to date from the mid 1850s and relate to the occupation, use and development of the Newcastle CBD from this time. The Newcastle AMP Review 2013 also identifies potential for early dispersed burials, both Aboriginal and European, evidence of contact Aboriginal archaeological deposits, a pre 1830s coal mine shaft and several potentially early 1830s constructed buildings to be present within the subject site.

While the majority of the subject site is likely to have been subject to a certain degree of disturbance, the potential archaeological resource of the subject site could include physical evidence of structural footings associated with former structures, remains of backyard cesspits/privies and wells/cisterns, Aboriginal contact deposits and human skeletal remains. There is also potential for accumulated archaeological deposits of material associated with the nineteenth century use and occupation of the area to be present, especially within deeper subsurface features (early coal mine shaft, cesspits/privies, wells/cisterns and rubbish pits).

Many of the twentieth century constructed buildings were built over late 1870-1880s constructed buildings, some of which were constructed over earlier (1850s) structures. The potential for an intact archaeological resource to be present over much of the subject site will depend on the level and methods of demolition of the earlier structures and the method of construction of the later buildings that replaced them. In addition, the later twentieth century buildings have undergone extensive modifications (for example the former David Jones building and the complex of buildings between Wolfe and Thorn Streets, including the cinema) which would have further impacted on the potential archaeological resource.

3.4 Conclusion

The subject site has the potential to contain archaeological evidence of Aboriginal occupation of the area and historical development and occupation throughout the nineteenth and twentieth centuries. In addition, evidence of early contact between Aboriginal people and European settlers may also be present within the subject site.

Physical subsurface disturbance to areas of archaeological potential across the subject site is likely to require approval (or an exception from the need for approval) from the Heritage Council of NSW (under Section 139 of the *Heritage Act 1977* [NSW]) and OEH (under Section 87 of the *National Parks and Wildlife Act 1974* [NSW]). Obtaining approval from both statutory authorities would require further archaeological research and assessment and consultation with relevant Aboriginal stakeholders.

Note: Archaeological test excavations (if/where possible) could be utilised to inform this process (refer to **Section 5.4**).

4.0 Management Strategy

GPT and UrbanGrowth have identified that individual Aboriginal Cultural Heritage and Historical Archaeological Assessments will be prepared as part of separate development applications to be lodged for the subsequent stages of the development of the subject site. The Aboriginal Cultural Heritage Assessment and Historical Archaeological Assessment for each stage will be submitted with the respective development application.

The assessments will be prepared in accordance with legislation current at the time of the respective development application and all relevant codes of practice and guidelines.

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5.0 Key Constraints and Opportunities

5.1 Consultation

As discussed, any development of the subject site involving subsurface disturbance/excavation is likely to require the disturbance and/or removal of archaeological remains (known and potential). A key consideration is the early initiation of consultation with the relevant government agencies and other stakeholders; including the Aboriginal community, Council and heritage groups (the Coal River Working Party for example).

As such, commencing consultation early with OEH, the Heritage Division, OEH and Council regarding the preferred approvals process for Aboriginal and historical archaeology respectively is highly recommended. This will provide greater surety of process and will allow for a clearer understanding of potential risks, costs and timeframes associated with archaeological assessments, permitting and excavation.

Prior consultation undertaken by GPT with the relevant Aboriginal parties between 2008 to 2010 involved the development of a draft Memorandum of Understanding (MOU). The draft MOU is understood to have been a relatively complex document that addressed a range of factors relevant to any subsequent consultation with Aboriginal parties including processes for engaging and recognising the relevant Aboriginal parties and principles for managing Aboriginal cultural heritage. Early engagement with the relevant Aboriginal parties will assist in continuing to build relationships and ensure a shared understanding regarding the proposed development and its implications for recognising, protecting and/or salvaging Aboriginal cultural values/objects, where feasible.

5.2 Legislation Reform

As discussed in **Section 1.3.2**, the NPW Act is the primary legislation relating to the management of Aboriginal cultural heritage in NSW. However, the NSW Government is currently proposing to reform Aboriginal cultural heritage legislation, with the intent to develop stand-alone legislation that represents a significant departure from the requirements of the NPW Act and associated documents. If the legislation is finalised and enacted prior to commencement of a detailed Aboriginal cultural heritage assessment, it may result in changes in how this assessment must be conducted. The details of the reform have not yet been finalised nor is it clear as to the nature of any transitional arrangements that may be in place and thus it is not possible to identify how these changes may affect the proposed development.

5.3 In Situ Retention of Significant Historical Archaeological Remains

In the event that substantial remains assessed as having state significance are discovered within the subject site, the Heritage Council of NSW may require consideration of *in situ* retention of these remains. Under the standard Conditions of Approval for excavation permits, removal of State significant items is not permitted. Such remains can be required to be retained *in situ* unless specific approval to remove them has been granted. Potential risks for any future development include redesign and/or relocation of proposed built elements or other infrastructure (including services), and development and implementation of an interpretive strategy for these remains.

Note: the Newcastle AMP Review 2013 has identified the potential for State significant remains within the subject site (refer to **Section 1.4**).

Early engagement with the Heritage Division, OEH regarding the proposed development and the potential historical archaeological resource would be prudent with regards to the potential management of State significant remains.

An early commitment to the interpretation of the subject site's history and archaeology (both Aboriginal and historical) in association with any proposed development would also be recommended - particularly if active engagement with the Heritage Division, OEH and other stakeholders is undertaken (refer to **Section 5.1**).

Archaeological test excavation in the early stages of the planning process can inform of the potential and nature of any archaeological remains (refer to **Section 5.4**).

5.4 Archaeological Test Excavation/Excavation

As discussed, it is important to consider the physical condition/intactness of archaeological remains and associated deposits when assessing the significance of archaeological remains.

The most efficient method of testing the archaeological potential of an area is to undertake archaeological testing (that is, mechanical excavation of localised trenches or hand excavation of test pits) in key locations (areas of archaeological potential and/or proposed impact, or areas that would best characterise the subsurface profile of the site). The current built nature of the subject site limits opportunities for archaeological testing prior to the submission of individual staged DAs or later demolition/ground disturbing works. However, the corner of Newcomen and King Streets presents a suitable location which has also been identified in the Newcastle AMP Review 2013 as potentially containing State significant remains. Any archaeological testing undertaken would inform the archaeological assessment and management strategy and ultimately can inform the development design.

Note: permits (Aboriginal Heritage Impact Permit and Excavation Permit) or exceptions from the need for a permit (only applies to historical archaeological permitting) are likely to be required prior to any ground disturbance works including archaeological testing. It is possible to undertake limited test excavation without an Aboriginal Heritage Impact Permit (in accordance with the *Code of Practice for Archaeological Investigation of Aboriginal Objects in NSW*) however the limitations on testing of this kind are such that it may not be feasible in relation to the subject site. The permitting process for excavation is lengthy and includes consultation with Aboriginal parties. If testing is to be undertaken, it is recommended that the assessment process and associated approvals for test excavation be commenced early in the development process.

5.5 Burials

Human skeletal remains and burial sites assessed as being of heritage significance should, as a principle, not be disturbed and the excavation and moving of human remains and burials should be regarded as a last resort.

Note: If skeletal remains are identified as being of Aboriginal origin they would likely have to remain undisturbed and *in-situ*. This would be subject to consultation with Aboriginal parties and OEH however based on previous discussion, *in-situ* retention is likely to be the required strategy.

In the unlikely event that a potential burial site or potential human skeletal material is exposed within the subject site, the following procedure would need to be followed in accordance with the *Policy Directive – Exhumation of Human Remains* (NSW Department of Health 2008), *Skeletal Remains – Guidelines for the Management of Human Skeletal Remains under the Heritage Act 1977* (NSW Heritage Office 1998) and the *Aboriginal Cultural Heritage Standards and Guidelines Kit* (NPWS 1997):

- as soon as potential remains are exposed, work is to halt immediately to allow assessment and management;
- contact local police, OEH and the Heritage Division, OEH;
- a physical or forensic anthropologist should inspect the remains *in situ*, and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historical or forensic);
- if the remains are identified as forensic the area is deemed as crime scene;
- if the remains are identified as Aboriginal, the site is to be secured and OEH and all registered Aboriginal parties are to be notified in writing; or
- if the remains are non-Aboriginal (historical) remains, the site is to be secured and the Heritage Division, OEH is to be contacted.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the remains is to be determined through liaison with the appropriate stakeholders (New South Wales Police Force, forensic anthropologist, OEH, Heritage Division, OEH, registered Aboriginal parties etc) and in accordance with the *Public Health Act 1991*.

5.6 Interpretation

Interpretation of the subject site's history and archaeology is likely to be required within any proposed redevelopment context, including the preparation of an Interpretation Strategy/Plan.

It is important to plan and design for heritage interpretation early in the development process. Interpretation of the subject site's history could take many forms: signage, brochures, plaques, and other, more innovative media. The interpretative approach should also consider information or other resources (for example physical remains, artefacts) that may become available as a result of any physical archaeological investigation of the site.

5.7 Unexpected Finds

By its very nature, archaeology relates to deposits and features that are contained below ground. Despite efforts to evaluate the potential of a site to contain archaeological evidence, there would remain an element of risk that the subject site may contain unexpected or unrecorded remains that may affect the timing, process or viability of any future development project. These remains may consist of additional archaeological remains not revealed during archaeological assessments/investigations. Such remains are protected under Section 146 of the Heritage Act and Section 86 the NPW Act.

The Acts provide for the eventuality of unexpected remains or relics, and try to avoid this eventuality by seeking archaeological assessments as part of Development Application documentation and through requirements to deal with unexpected finds. As such, if permits are in place prior to any ground disturbance works there is less risk in relation to any proposed development.

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APPENDIX E

Newcastle East End Development Urban Design
Principles, CPH, 21 February 2017

NEWCASTLE EAST END DEVELOPMENT HERITAGE URBAN DESIGN PRINCIPLES

The principle aim is to maintain and enhance the area's distinctive identity, special qualities and sense of place as a historic and commercial hub of Newcastle city centre. New infill development should contribute to the quality of the built environment of the immediate locality and setting of Hunter Street Mall.

As detailed in the joint publication of the Australian Institute of Architects and the NSW Heritage Council "Design in Context", to achieve a successful infill design, new development must be appropriate under the following six design criteria:

1. character;
2. scale;
3. form;
4. siting;
5. materials and colour; and
6. detailing.

The Newcastle East End site as part of the commercial hub of Newcastle city centre is characterised by range of historic buildings of various periods and styles as well as a town plan dating from 1823. The existing building stock along Hunter and Perkins Streets intersection is dominated by 1900-1910s buildings while the Hunter and Newcomen Streets intersection is dominated by the 1920s buildings. King Street building stock largely date from the 1960s.

The development site occupies a large portion of the commercial precinct and has a high potential to change its character hence the following heritage design parameters/ principles is recommended to minimise impact and ensure the new infill buildings fit comfortably and in some cases positively contribute and enhance this important established historic character.

General heritage urban design parameters/ principles:

- Give particular attention to the heritage items (as well as the items in the vicinity) within the development site in order to understand their individual distinctive architectural characteristics and detailing for interpretation within the new building design including setbacks, solid to void relationships and proportions, scale, and vertical or horizontal façade emphasis. The heritage items in the development site are:
 - Municipal Building, 121 Hunter Street - Item I403
 - Former David Jones building, 169-185 Hunter Street – Item I407
 - Former Lyrique Theatre, 98 King Street (Wolfe Street) – Item I423
 - Retaining wall and sandstone steps, Wolfe and King Streets – Item I477; and
 - Newcastle City Centre Heritage Conservation Area – Item C4;
- Follow up the existing predominant setbacks – although it is desirable in general to have setbacks from the facades, depending on the particular style and detailing of a heritage item or the contributory building, in some cases no setbacks from building façade may provide a better outcome. Setbacks to upper levels should be given consideration in the first instance in order to understand if such setbacks would provide the appropriate transition between adjacent buildings of different scales or the building that the vertical addition is proposed;
- Celebrate and apply the traditional prominent corner treatment/ accent at the key corners of the development site, in particular, where it responds and communicate with an existing prominent corner accent on the opposite corner to maintain the rhythm of the existing urban context;
- Make reference to the materials, horizontal/vertical façade articulation of the adjoining building or the building where vertical addition is proposed;
- Consider the façade fenestration of the heritage items and the contributory buildings associated with the new infill building(s) and apply simple and sympathetic fenestration but do not mimic the historic character of the items;
- Maintain the streetscape rhythm and subdivision pattern of the development site;

- Aim to maintain, preserve and restore the architectural detailing and original/early fabric of the items;
- Reinstatement of missing elements, architectural detailing, and known earlier materials/finishes both externally and internally is desirable and preferred to ensure the heritage items and contributory buildings maintain their integrity and historic character within the Newcastle City Centre Heritage Conservation Area as a powerful reminder of the city's past, its economic and social history;
- Ensure the scale and proportions of the vertical addition(s) relate to the original building in a sympathetic manner and provide appropriate transition from the new high-rise building wing(s) to the existing lower scale building(s);
- Ensure the key view corridors and vistas identified in the SJB Architects Visual Analysis Report are maintained and preserved. This is particularly important for the views to the Cathedral and its dominance in the city's skyline;
- Maintain the established street-wall along the streetscapes and relate to the human scale of the existing built form that follows the underlying natural topography of the area;
- Consider the intact internal layout, detailing and finishes of the buildings that are proposed for adaptive reuse and ensure they remain readable/recognisable to future users/occupiers;
- Compliment to the materials, form, colours, building techniques, details, and the traditional hierarchy in the use of materials and colours of the historic buildings;
- Maintain the relationship between the commercial and domestic character of the buildings in particular with the low scale terraces;
- Reduce the scale and dominance of the infill buildings/ vertical additions by breaking long walls into bays or arranging openings in the walls so that their size and shape reflect the structure and openings of the existing buildings within the site and immediate vicinity;
- The lack of repetitive building form in the development site and the streetscapes provides more flexibility to the design of the infill buildings in different form than those existing historic buildings. Notwithstanding, infill buildings should respond to, or reinforce existing ridge or parapet lines, roof slopes and other features such as string courses, cornices, shape of openings, and projecting bays to name a few;