

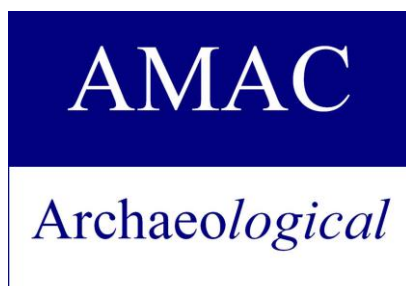
STATEMENT OF HERITAGE IMPACT

**Mixed Residential
Development at
309 King Street,
Newcastle West**



**John Carr,
Emma Williams,
Kelly Strickland and Benjamin Street**

Archaeological Management & Consulting Group
And John Carr Heritage Design



**for
West's Newcastle**

May 2019

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Cover Image

309 King Street, Newcastle West, proposed development.
FENDER KATSALIDIS (AUST) PTY LTD

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GLOSSARY

Term	Definition
AMAC	Archaeological Management and Consulting Group
Archaeological feature	Archaeological material which is not considered a relic in terms of the NSW Heritage Act 1977. For example- postholes, artefact scatters, cesspits or rubbish pits
DCP	Development Control Plan
DP	Deposited Plan
Former relic	A deposit, artefact, object or material evidence whereby the integrity of the relic is viewed to have been destroyed or disturbed to the point where it is no longer considered to hold any significance as a relic in terms of the NSW Heritage Act 1977.
Heritage Division	Formerly known as the Heritage Branch
LEP	Local Environment Plan
LGA	Local Government Area
LTO	Land Titles Office
NPW Act	National Parks and Wildlife Act 1974
OEH	NSW Office of Environment and Heritage (formerly known as the DECCW)
Relic	Defined by the NSW Heritage Act (see Section 1.5.3) as: “any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance”
S57	Refers to definition of Section 57 in the NSW Heritage Act 1977
S60	Refers to definition of Section 60 in the NSW Heritage Act 1977
S139	Refers to definition of Section 139 in the NSW Heritage Act 1977
S140	Refers to definition of Section 140 in the NSW Heritage Act 1977
SHI	State Heritage Inventory
SHR	State Heritage Register
SOHI	Statement of Heritage Impact
Work	Archaeological material related to road and rail infrastructure which is not considered a relic in terms of the NSW Heritage Act 1977, however may retain an archaeological significance independent of the statutory definitions. The interpretation of a ‘work’ has been defined in consultation with the Heritage Division

1.0 INTRODUCTION

1.1 BACKGROUND

The following report comprises a Statement of Heritage Impact (SoHI) for the proposed mixed residential development to 309 King Street, Newcastle West. Guidelines published by the NSW Office of Environment & Heritage have been used to produce this Statement of Heritage Impact. John Carr Heritage Design has been engaged by the AMAC Group on behalf of the Wests Group to prepare the SoHI to accompany the submission of a Development Application for the project.



Figure 1.1 Aerial view with the proposed development area circled in red. NSW Land and Property Information, Six Maps Viewer, accessed 15th June 2018, <http://maps.six.nsw.gov.au/>

Fender Katsalidis Pty Ltd has been engaged by Wests Newcastle to prepare a design for a two-tower residential development on the existing King Street site presently used for parking.



Figure 1.2 Aerial perspective of the proposed development.
Fender Katsalidis (Aust) Pty Ltd.

1.2 STUDY AREA

The study site is that piece of land described as Lot 1 in Land Titles Office Deposited Plan (DP) 826956, Lot 232 DP792815 and Lot 1 DP1046028. The street address is known as 309 King Street, Newcastle West, in the parish of Newcastle, county of Northumberland.

1.3 AUTHORSHIP

This report was written by John Carr (John Carr Heritage Design), Emma Williams (AMAC), Kelly Strickland (AMAC) and Benjamin Streat (AMAC). The report was formatted by Strickland and reviewed by Carr. For clarity, the following table shows the author/s of each of the report sections:

Section 1.0	Kelly Strickland and John Carr
Section 2.0	Emma Williams
Section 3.0	Kelly Strickland and Benjamin Streat
Section 4.0	John Carr
Section 5.0	John Carr

1.4 STATUTORY CONTROLS AND HERITAGE STUDIES

1.4.1 NSW Heritage Act 1977 (as amended)

The NSW Heritage Act 1977 affords automatic statutory protection to relics that form archaeological deposits or part thereof. The Act defines relics as:

- Relic means any deposit, artefact, object or material evidence that:
- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - (b) is of State or local heritage significance

Sections 139 to 145 of the Act prevent the excavation or disturbance of land for the purpose of discovering, exposing or moving a relic, except by a qualified archaeologist to whom an excavation permit has been issued by the Heritage Council of NSW.

1.4.2 National Parks and Wildlife Act (1974)

The *National Parks and Wildlife Act 1974* (as amended) affords protection to all Aboriginal objects and is governed by the NSW Office of Environment and Heritage. These objects are defined 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.¹

It is an offence to destroy Aboriginal objects or places without the consent of the Director-General.² Section 86 discusses 'Harming or desecration of Aboriginal objects and Aboriginal places':

- (1) A person must not harm or desecrate an object that the person knows is an Aboriginal object. Maximum penalty:
 - (a) in the case of an individual-2,500 penalty units or imprisonment for 1 year, or both, or (in circumstances of aggravation) 5,000 penalty units or imprisonment for 2 years, or both, or
 - (b) in the case of a corporation-10,000 penalty units.
- (2) A person must not harm an Aboriginal object. Maximum penalty:
 - (a) in the case of an individual-500 penalty units or (in circumstances of aggravation) 1,000 penalty units, or
 - (b) in the case of a corporation-2,000 penalty units.
- (3) For the purposes of this section, "circumstances of aggravation" are:
 - (a) that the offence was committed in the course of carrying out a commercial activity, or
 - (b) that the offence was the second or subsequent occasion on which the offender was convicted of an offence under this section.

This subsection does not apply unless the circumstances of aggravation were identified in the court attendance notice or summons for the offence.
- (4) A person must not harm or desecrate an Aboriginal place. Maximum penalty:
 - (a) in the case of an individual-5,000 penalty units or imprisonment for 2 years, or both, or
 - (b) in the case of a corporation-10,000 penalty units.
- (5) The offences under subsections (2) and (4) are offences of strict liability and the defence of honest and reasonable mistake of fact applies.
- (6) Subsections (1) and (2) do not apply with respect to an Aboriginal object that is dealt with in accordance with section 85A.
- (7) A single prosecution for an offence under subsection (1) or (2) may relate to a single Aboriginal object or a group of Aboriginal objects.
- (8) If, in proceedings for an offence under subsection (1), the court is satisfied that, at the time the accused harmed the Aboriginal object concerned, the accused did not know that the object was an Aboriginal object, the court may find an offence proved under subsection (2).³

¹ Part 1 Section 5, National Parks and Wildlife Act 1974.

² Part 6 Section 90 (1) National Parks and Wildlife Act 1974.

³ Part 6 Section 86, National Parks and Wildlife Act 1974.

1.4.2.1 Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW

In October 2010 DECCW (now the Office of Environment and Heritage) introduced the “Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW”.⁴ This code of conduct was released in response to changes in the NPW Act which now states “A person must not harm or desecrate an object that the person knows is an Aboriginal object” or that “A person must not harm or desecrate an Aboriginal place” (NPW Act, Amendment 2010). Individuals or organisations who are contemplating undertaking activities which could harm Aboriginal objects should consult this code or engage the services of an appropriately qualified archaeological consultant to carry out a Due Diligence study on any proposed development.

This code provides a process whereby a reasonable determination can be made as to whether or not Aboriginal objects will be harmed by an activity, whether further investigation is warranted, and whether the activity requires an Aboriginal Heritage Impact Permit (AHIP) application.

If through this or any other process which meets the standards of this code, such as the commission of an Environmental Impact Assessment, one has already taken reasonable steps to identify Aboriginal objects in an area subject to a proposed activity. Subsequently if it is already known that Aboriginal objects will be harmed, or are likely to be harmed by an activity, then an application should be made for an AHIP.

⁴ Office of Environment and Heritage,
<http://www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf>

2.0 SITE HISTORY

2.1 HISTORY

Indigenous habitation in Newcastle is known from archaeology to have begun thousands of years ago.⁵ The group historically associated with land use and ownership is the Awabakal people. Archaeological sites at the heart of Newcastle CBD on the Hunter River provide evidence for Aboriginal habitation of the area during the Holocene.⁶ Lieutenant John Shortland, the first white man to record the location in any detail, reported when he visited the area in 1797 that an indigenous population already occupied the place later known as King's Town and then Newcastle.

Newcastle was officially discovered by Lieutenant Shortland in September 1797.⁷ There was an attempt to create a settlement at Newcastle in 1801 and substantial investigation of the surrounding area was undertaken. However, the settlement lasted only a matter of months.⁸

In 1804, a group of convicts and soldiers were sent to settle the area and the town of Newcastle, originally named King's Town, was proclaimed.⁹ The settlement was intended for convicts sentenced for a further felony or misdemeanour committed while in the colony.¹⁰ However, it was also intended to exploit the resources of the region, principally coal, timber, salt and lime. The population consisted of approximately 100 people for the first few years and then, with rapid growth between 1815 and 1821, increased to a total of 1051 people.¹¹

The main street of the convict settlement was High Street then George Street (now Watt Street) which ran from the wharf to the commandant's house. The town was laid out in an irregular fashion around this area. Most of the first structures were built of timber, though from 1816, there was some brick-making and stone-quarrying for the construction of government buildings.¹² Until 1820, most of the convicts lived in huts built of timber and plaster with bark or shingle roofs.¹³

In the early 1820s, the decision was made to open the Hunter Valley to free settlers. As a result, in 1822, most of Newcastle's convicts were moved to Port Macquarie.¹⁴ It was intended that Newcastle would become a port for the surrounding settlers.¹⁵ In this period, Henry Dangar, the government surveyor, assessed Newcastle and

⁵ AMAC Group (2003), p.12.

⁶ Steele in Archaeological Management and Consulting Group (2002), p. 94.

⁷ Bladen (1979), Vol 3, p. 481–482. Lieutenant John Shortland of the H.M.S. Reliance officially discovered the River on the 10th September, 1797, while en route to Port Stephens.

⁸ Bladen (1979), Vol 4, p. 404–409, 447–453, 627–635; State Records NSW, A.O. Reel 6039 sz756, p.73–83; State Records NSW, A.O. Reel 6039 sz756, p.73–83.

⁹ State Records NSW, A.O. Reel 6039 sz756, p. 283. Newcastle is the name intended for the settlement at Coal Harbour and Hunters River in this document, dated September, 1804.

¹⁰ Wood (1972), p. 1.

¹¹ Turner (1997a), p.12.

¹² Turner (1997a), p. 16.

¹³ Turner (1997), p. 17.

¹⁴ Turner (1997), p. 18.

¹⁵ Turner (1997b), p. 12.

laid the town out in a grid.¹⁶ Although Watt Street remained, there were substantial changes to the rest of the town and the new streets and allotments cut through many of the earlier buildings.¹⁷

In the 1830s the Australian Agricultural Company had been granted 2000 acres to the west of Newcastle for coal mining.¹⁸ This grant restricted the growth of the town, until the early 1850s, to land east of Brown Street, while the town was bounded on the south by Church Street. From the late 1840s other companies opened coal mines around Newcastle. These mines began to ship coal through the port of Newcastle and the town became a centre for the smaller settlements around the mines.¹⁹ The following decades saw the expansion of the town with the opening of the Great Northern Railway Line and Newcastle Railway Station.²⁰ In the 1850s, the Australian Agricultural Company began to subdivide and sell its land, which meant that the town could expand to the west. Plans from the 1850s indicate the extension of the streets and the gradual expansion of the town.

By the 1880s, according to Turner, the residents of inner Newcastle were mainly people engaged in the service industries, along with their families, while the majority of miners lived in the surrounding mining townships.²¹ In 1885 the principal streets, including Church Street, had a few private residences, but Hunter and King and their cross streets were largely given over to retailing and commercial offices.²²

In the first part of the twentieth century, the collieries of the inner-city were closed and moved further away; this caused the movement of the population away from Newcastle. The opening of the BHP steel works in around 1915 brought people back to the city however the character of the area had forever changed.²³

¹⁶ Dangar (1928). J. Cross of London engraved Dangar's earlier work and published in August 1828; *Australian Dictionary of Biography* (1966), Vol 1, p. 279-80. His original work in the Hunter was conducted in c.1822-1824.

¹⁷ Turner (1997a), p. 17.

¹⁸ Turner (1997), p. 18; Bairstow (2003), p. 62–63, 121.

¹⁹ Turner (1997), p. 19.

²⁰ Turner (1997), p. 19.

²¹ Turner (1997a), p. 23.

²² Turner (1997), p. 21.

²³ Turner (1997), p. 21

2.2 ORIGINAL GRANT

The study site forms a very small portion of 2000 acres selected by the Australian Agricultural Company in 1828. The Company was incorporated by an Act of the British Parliament in 1824. The stated object of the Company was the cultivation of waste lands in New South Wales, although its main purpose was the production of fine wool and also the cultivation of the grape vine, olive, flax and other crops.²⁴ The principle condition stated by the British Parliament was that the majority of labour would be conducted by convicts and supervised by those professional mechanics and superintendents arriving from England.²⁵ A Committee was established for the Company which included James McArthur (son of John McArthur), cousin Hannibal Hawkins McArthur and Principal Surgeon James Bowman.²⁶

The initial proposal concerning the Newcastle land had been for the Company to lease and work the Government's coal mines around the town. However, by the late 1820s this proposal had changed, and the Company was allowed to choose 2000 acres of coal land in two parcels, the first of which comprised 500 acres and could include the existing Government coal mines if the Company chose. The Company chose not to include the Government mines in its grant.²⁷

There were several conditions to the grant. Coal from the mines, to a total of one quarter of the average annual produce, was to be sold to the Government at what was estimated to be the cost price.²⁸ For 31 years after the grant, no Governor was to grant a coal mine or land containing a coal mine without the coal being excepted from the grant, nor to afford any assistance in convict labour for the working of any coal mine other than the property of AACo.²⁹ The Government had the right to assist competitors of the Company if the Company charged an excessive price for coal, and could resume the 500 acres if, in any one year, the Company did not produce two-thirds of the average annual output of the mines over the period from 1826 to 1828.³⁰

The Company began to sell coal in 1831. Their new shaft, near the present corner of Church and Brown Streets, further east of the study site, was officially opened in 1832.³¹ A temporary loading staithe and wharf was built on the water a little west of the foot of Brown Street, and a huge inclined plane was laid from the pit to the loading place.³² This shaft was known as the Company's 'A' Pit. It is thought to have been located on or near the lower part of the property at 106 Church Street, east of the study site.

Production increased as demand rose, primarily due to the introduction of the steamship to the colony. By 1847, the Hunter River Steam Navigation Company was consuming 18% of the Company's total output of coal.³³ The Company also supplied the Australian Gas Light Company, founded in 1836, which commenced

²⁴ Bairstow (2003), p. 5.

²⁵ Pemberton (March 2009), p. 56.

²⁶ Pemberton (March 2009), p. 56.

²⁷ Gregson (1907), p. 61.

²⁸ Gregson (1907), p. 51.

²⁹ Turner (1982), p. 31.

³⁰ Turner (1982), p. 32.

³¹ Pemberton (March 2009), p. 58.

³² Windross and Ralston (1897), p. 45.

³³ Turner (1982), p. 33.

commercial operations in 1841. A domestic market for coal also developed in the colony, and there was some export to other colonies.³⁴

In 1847, the coal agreement between the Government and the Company was terminated. The coal grant at Newcastle was freed from all conditions, and all existing privileges were given up. This meant that the Company could sell the land.³⁵ A grant was issued in this year.

As Newcastle's population grew, from the 1850s the Company subdivided its Newcastle property into housing and commercial allotments, at first in the inner-city area, and later in Hamilton and Hamilton South.³⁶ Subdivision and sale continued well into the twentieth century. The Honeysuckle railway terminus, as part of the Great Northern Railway, was initiated during the mid-1850s which further assisted with land sales in this immediate area.³⁷

2.3 SUBSEQUENT OWNERS AND OCCUPANTS

The study site is made up of 19 original allotments that were part of Section C of the AACo's subdivision. The proposed development does not seek to impact the entire footprint of the study site, that being Lot 1 DP826956, but rather the western half of the lot primarily consisting of a car park. The area currently covered by Wests club will not be affected by the development. The portion of the current lot which will be affected by the proposed development correlate to original Lots 82, 85-88 and 91-98 (see Figure 2.1). The historic development of these allotments is discussed below.

Original Lot 82

Lot 82 was purchased from the AACo by the Hunter District Water Supply and Sewage Board. It was founded in 1892. From 1938 to 1992 its was known as the Hunter District Water Board and then Hunter Water Corporation from 1992 until present.

The Hunter District Water and Sewerage Act (1892), established the Hunter District Water Supply and Sewerage Board as an authority to administer the Walka Water Supply Scheme on the Hunter River. The Board took over control of the water supply for the Hunter Region at this time.

The Hunter Water Corporation obtained the lots surrounding Lot 82 at different points throughout the 20th century until they owned Lots 82, 84-86 and 92-98. These portions of land were sold as a whole to Plancask Pty Ltd in 1990.

Table 1.1 – Title for Lot 82

Date	Title Information	Reference
24 Dec 1920	£396	1222-456

³⁴ Turner (1982), p. 35.

³⁵ Turner (1982), p. 52.

³⁶ "Australian Agricultural Company", online resource, <https://aaco.com.au/> accessed 5th July 2018.

³⁷ Suters Architects and Planners, Lavelle, S., C and M.J. Doring Pty Ltd and Turner, J. (1997a), p. 20.

	From: AACo	
	To: The Hunter District Water Supply and Sewage Board	
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000	3820-148 / CA48015
	From: Hunter District Water Board	
	To: Plancask Pty Ltd	

Original Lots 85 and 86

Lots 85 and 86 were bought by the brothers Alan Cyrus and Milton Everard Bramble, respectively, in February 1920. Alan's wife Elsie May Bramble (Sanderson) appears on the title documents for both purchases.

Alan and Elsie were both born in 1891 and they were married in 1915, in Newcastle.³⁸ They lived in Merewether and had a daughter, Joy. Alan was the director of his father's company W E Bramble and Sons Pty Ltd, which was a transport business.³⁹ He was a prominent member of the Newcastle community and represented the Australian cricket team twice in England.⁴⁰ Alan Bramble died in 1946.

Milton Everard Bramble was born in 1899 in Newcastle.⁴¹ He married Charlotte Fisher in 1926. He is listed as a garage proprietor living in Bar Beach in the electoral roll from 1932.⁴² It appears that neither Alan nor Milton lived on the study site.

The Bramble's only owned the study site for a month before selling to D Mitchell & Co in March of 1920. D Mitchell & Co, established in 1866, was a wholesale grocery company based in Sydney and Newcastle. An article in the Newcastle Morning Herald and Miners' Advocate from 1930 mentions a warehouse owned by the company on King Street. Lots 85 and 86 both front King Street. The company became known as Grocery and General Merchants Ltd when it merged with several other companies in 1949. Grocery and General Merchants Ltd sold both lots to the Hunter District Water Board in 1951.

Table 1.2 – Title for Lots 85 and 86

Date	Title Information		Reference
20 Feb 1920	Lot 85 £475	Lot 86 £476	Lot 85 1182-83
	From: AACo	From: AACo	Lot 86 1182-84
	To: Elsie May and Alan	To: Elsie May and Milton	

³⁸ Ancestry.com. *Australia, Marriage Index, 1788-1950*.

³⁹ MR. A. C. BRAMBLE DEAD (1946, January 10). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 2.

⁴⁰ MR. A. C. BRAMBLE DEAD (1946, January 10). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 2.

⁴¹ Ancestry.com. *Australia, Birth Index, 1788-1922*.

⁴² Ancestry.com. *Australia, Electoral Rolls, 1903-1980*.

	Cyrus Bramble	Everad Bramble	
11 Mar 1920	Lot 85 and 86 £2420 From: Elsie May and Milton Everad Bramble To: D Mitchell & Co		1182-85
5 Nov 1951	Lots 85 and 86 £5000 From: Grocery and General Merchants Ltd (formerly D Mitchell & Co) and Bank of NSW To: Hunter District Water Board		2236-879
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000 From: Hunter District Water Board To: Plancask Pty Ltd		3820-148 / CA48015

Original Lots 87 and 88

Lots 87 and 88 were sold by the AACo in 1927 to Harry Edward Gibbs (salesman) and William James Cornish (merchant), both of Newcastle. Harry Edward Gibbs was married to Caroline Connor; they had two daughters and were noted as living on Lindsay Street.⁴³ In 1942 the property was split between the two men, with each taking one allotment. Gibbs took Lot 87 and Cornish Lot 88. Both pieces of land were sold as part of Gibbs' and Cornish's wills in 1950. Gibbs died in 1947 and Cornish in 1945.⁴⁴

Annie Dooley bought the properties from the Public Trustee of New South Wales. Annie Dooley was married to the glassworker Herbert Dooley but was a widow at the time of purchase.⁴⁵ Dooley sold to Westcott Hazell & Co in 1958. Westcott Hazell & Co were an automotive equipment company.⁴⁶ They sold to Kloster Pty Ltd in 1959.

Table 1.3 – Title for Lots 87 and 88

Date	Title Information		Reference
14 Apr 1927	Lot 87 £440 From: AACo To: Harry Edward Gibbs and William James Cornish	Lot 88 £440 From: AACo To: Harry Edward Gibbs and William James Cornish	Lot 87 1468-455 Lot 88
22 Oct 1942	Lot 87	Lot 88	1924-42

⁴³ MR. HARRY GIBBS DIED TODAY (1947, September 12). *The Newcastle Sun* (NSW: 1918 - 1954), p. 3.

⁴⁴ Family Notices (1945, July 21). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 2.

⁴⁵ Ancestry.com. *Australia, Electoral Rolls, 1903-1980*.

⁴⁶ WESTCOTT HAZELL (1949, June 17); *The Argus* (Melbourne, Vic.: 1848 - 1957), p. 7.

	To: Harry Edward Gibbs	To: William James Cornish	
	From: Harry Edward Gibbs and William James Cornish	From: Harry Edward Gibbs and William James Cornish	
1950	19 Jul 1950 Lot 87 From: Public Trustee NSW (Will of Harry Edward Gibbs) To: Annie Dooley (widow)	18 Aug 1950 Lot 88 From: Public Trustee NSW and Margaret Emmeline McWilliam (Will of William James Cornish) To: Annie Dooley (widow)	Lot 87 2134-225 Lot 88 2136-252
3 Oct 1958	Lots 87 and 88 £3000 From: Annie Dooley To: Westcott Hazell & Co Ltd		2465-206
2 Mar 1958	Lots 87 and 88 £6,300 From: Westcott Hazell & Co To: Kloster Pty Ltd		2482-528
Sep 1975	Lot 87, 88 and 91 \$130,170 From: Kloster Pty Ltd To: Trident Ford Pty Ltd		3207-454

Original Lot 91

Lot 91 was purchased by John James Hay, engineer, of Sydney, in 1927. Hay married Agatha Smith in 1904. They had two sons, Stanley Lawrence and Clifford as well as a daughter, Leila Estella.⁴⁷ The Hay's were based in Glebe and likely did not occupy the study site. Lot 91 passed to Hugh McMillan Black, Hugh Black, William Lambert Fowles and Mary Ann Rankin in 1946 as part of John James Hay's will.

Hugh McMillan Black was a licensed publican. He ran the Esplanade Hotel in Newcastle. He was born 1906 in Queensland and married Elsie Stewart in 1933. Hugh Black, William Lambert Fowles and Mary Ann Rankin are listed on the title document as amusement park proprietors. They only owned the site for a year before selling to William Porteous Rodgers in 1947.

William Porteous Rodgers was a clerk in Newcastle but was retired at the time of purchase. He also worked for the Hunter District Water Supply and Sewage

⁴⁷ Fairfax Media; Pyrmont, New South Wales, Australia; Year Range: 1939.

Board.⁴⁸ He was born in 1869 and married Millicent Blanch Cooke in 1892 and they had three children Wallace, Allen and Essie.⁴⁹ They were a prominent family in Newcastle, Millicent Rodgers served as Mayoress of Hamilton in 1936.⁵⁰ Rodgers sold Lot 91 to Alice Bone in 1849. He died in 1951. In the later 20th century original Lots 87, 88 and 91 were owned by Kloster Pty Ltd, a car company. They sold to Trident Ford Pty Ltd in 1975.

Table 1.4 – Title for Lot 91

Date	Title Information	Reference
2 Jun 1927	£480 From: AACo To: John James Hay	1481-80
2 Sep 1946	£460 From: John James Hay and Hugh McMillan Black (will) To: Hugh McMillan Black, Hugh Black, William Lambert Fowles and Mary Ann Rankin	1999-510
24 Nov 1947	£460 From: Hugh Black, William Lambert Fowles and Mary Ann Rankin To: William Porteous Rodgers	2040-884
27 Jan 1949	£840 From: William Porteous Rodgers To: Alice Bone	2093-564
27 Jan 1949	£1000 From: Alice Bone To: The Hunter River No. 4 Co-Op Starr Bowkett Ltd	2093-565
Sep 1975	Lot 87, 88 and 91 \$130,170 From: Kloster Pty Ltd To: Trident Ford Pty Ltd	3207-454

⁴⁸ Death of Mr. W. P. Rodgers (1951, October 30). *The Newcastle Sun* (NSW: 1918 - 1954), p. 6.

⁴⁹ Ancestry.com. *Australia, Marriage Index, 1788-1950*.

⁵⁰ Death of Mr. W. P. Rodgers (1951, October 30). *The Newcastle Sun* (NSW: 1918 - 1954), p. 6.

Original Lot 92

Lot 92 was sold to Wallace Neve in 1929. Neve was born in Newcastle in 1883 and served in the Australian military from 1914-1920.⁵¹ He married Mary Ellen Steggies in Newcastle in 1925.⁵² Electoral rolls dating from throughout Neve's ownership of the site list both he and Mary Ellen as living on Anzac Parade.⁵³ It appears that they never occupied the allotment on Bull Street. Neve is listed in these electoral rolls as working as a business manager. He managed his father's furniture company with his two brothers. Neve sold the property to the Masonite Corporation in 1949. Wallace Neve died in 1961.

The Masonite Corporation (Australia) was founded in 1938. The Masonite Corporation produced fibreboard using local eucalyptus wood in their factory in Raymond Terrace. The company became part of the Colonial Sugar Refining Co. Ltd (CSR) in 1959. CSR sold original Lots 92, 93 and 94 to the Hunter District Water Board in 1977.

Table 1.5 – Title for Lot 92

Date	Title Information	Reference
10 Jan 1929	£520 From: AACo To: Wallace Neve	1554-124
1 Jul 1949	£1000 From: Wallace Neve and P Saddington To: Masonite Corporation Aus	2099-845
16 Nov 1977	Lots 92-94 \$140,000 From: CSR Finance Ltd (Formerly Masonite Corporation) To: Hunter District Water Board	3298-539
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000 From: Hunter District Water Board To: Plancask Pty Ltd	3820-148 / CA48015

Original Lots 93 and 94

Lots 93 and 94 were purchased from the AACo by George Peter Kostakes in 1927. Kostakes was a confectioner who was born in Greece and arrived in Australia from America in approximately 1909. He was a prominent member of the Greek community in Newcastle. He married Gladys Pearl Carins in 1926 and they had no children.⁵⁴ Kostakes and his partner Michael Karanges

⁵¹ Ancestry.com. *Australia, WWI Service Records, 1914-1920*.

⁵² Ancestry.com. *Australia, Marriage Index, 1788-1950*.

⁵³ Ancestry.com. *Australia, Electoral Rolls, 1903-1980*.

⁵⁴ Ancestry.com. *Australia, Marriage Index, 1788-1950*.

operated a café on Hunter Street called ‘The Niagara’.⁵⁵ Karanges’ family had been a part of the opening of the first Greek style café in Newcastle. An article in the Newcastle Sun from 1928 states Kostakes intended to build a brick factory on the study site.⁵⁶ Kostakes owned the site for a year before it was briefly mortgaged to Edith, Robert and George Ellerton. The property was sold after Kostakes died in 1951 to the Masonite Corporation for £10,500.

Table 1.6 – Title for Lots 93 and 94

Date	Title Information		Reference
21 Apr 1927	Lot 93 £480	Lot 94 £420	Lot 93 1489-841
	From: AACo	From: AACo	Lot 94 1489-840
	To: George Peter Kostakes	To: George Peter Kostakes	
7 Feb 1928	Lot 93 and 94 Mortgage From: George Peter Kostakes and Michael Peter Karanges To: Edith Letitia Ellerton, Robert Edward Ellerton and George Thomas Ellerton		1518-163
13 May 1952	Lots 93 and 94 £8000 From: Perpetual Trustee Company and Michael Peter Karanges (Will of George Peter Kostakes) To: Masonite Corporation Aus		2218-92
16 Nov 1977	Lots 92-94 \$140,000 From: CSR Finance Ltd (Formerly Masonite Corporation) To: Hunter District Water Board		3298-539
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000 From: Hunter District Water Board To: Plancask Pty Ltd		3820-148 / CA48015

Original Lot 95

Lot 95 was sold by the AACo to Edward Patrick Browne in 1924. Edward Patrick Browne was born in 1875 in Burrowa (now Boorowa). Browne was a storekeeper based in Binalong, New South Wales, and it is likely that he did

⁵⁵ REGISTERED COMPANIES. (1926, January 20). *Daily Commercial News and Shipping List* (Sydney, NSW: 1891 - 1954), p. 5.

⁵⁶ Building, Engineering, Machinery and Industry (1928, January 16). *The Newcastle Sun* (NSW: 1918 - 1954), p. 2.

not occupy the study site.⁵⁷ Browne sold the land to the Hunter District Water Board in 1949. Edward Browne died in 1962.⁵⁸

Table 1.7 – Title for Lot 95

Date	Title Information	Reference
7 May 1924	£400 From: AACo To: Edward Patrick Browne	1347-414
21 Jun 1949	£800 From: Edward Patrick Browne To: Hunter District Water Board	2105-729
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000 From: Hunter District Water Board To: Plancask Pty Ltd	3820-148 / CA48015

Original Lots 96 and 97

Lots 96 and 97 were bought from the AACo by Stockman and Company Ltd in 1924. However, the land was immediately mortgaged back to the AACo. The land was then bought by Leslie Thomas Edey of Dubbo. It is unclear when he exactly acquired the land. Lots 96 and 97 were then bought by the Horley's in 1938. Harold, Vivian and John Horley purchased adjacent Lot 98 in 1939. The three lots were sold together in 1946 to John Jamieson.

Table 1.8 – Title for Lots 96 and 97

Date	Title Information	Reference
27 Nov 1924	£840 From: AACo To: Stockman and Company Ltd	1369-221
28 Nov 1924	Mortgage From: Stockman and Company Ltd To: AACo	1369-222
19 Dec 1946	Lots 96, 97 and 98 £1380 From: Harold Blencowe Horley, Vivian Simpson Horley and John James Horley To: John Jamieson	2011-129
20 Aug 1947	Lots 96, 97 and 98 £1438	2031-721

⁵⁷ Ancestry.com. *Australia, Electoral Rolls, 1903-1980*.

⁵⁸ Ancestry.com. *Australia and New Zealand, Find A Grave Index, 1800s-Current*.

	From: John Jamieson	
	To: Sorby's Pty Ltd.	
1 Aug 1949	Lots 96, 97 and 98 £2720	2097-418
	From: Sorby's Pty Ltd	
	To: Hunter District Water Board	
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000	3820-148 / CA48015
	From: Hunter District Water Board	
	To: Plancask Pty Ltd	

Original Lot 98

Lot 98 was bought from the AACo by Basil Belgrave Capper in 1928. Basil Belgrave Capper was born in West Maitland in 1884. He married Vera Clift in 1912 and they had two daughters, Vera Belgrave and Dorothy Sweet, and a son Basil Edward.⁵⁹ Capper served in the Australian Army during World War 1.⁶⁰ While not at work he worked as a grazier. It appears that he and his family did not occupy the study site but rather lived in West Maitland. The family moved to Pymble before Basil died in 1932.⁶¹ Lot 98 passed to Basil's wife Vera, and she and the solicitor Roy Stanley Adams, sold the property in 1939 to Harold Blencowe Horley and his sons Vivian Simpson Horley and John James Horley.

Harold Blencowe Horley was born in 1876. He married Kate Simpson in 1897 and they had three sons; Vivian, John James and Alfred Harold.⁶² Horley is described in a 1936 electoral roll as being a company manager and living at Memorial Drive, Newcastle, with his family.⁶³ John and Vivian are listed as engineers and Alfred a blind worker. The Horley's also acquired adjacent Lots 96 and 97, before selling all three lots to John Jamieson in 1946.

John Jamieson owned Lots 96, 97 and 98 for only a year before selling to Sorby's Pty Ltd in 1947. Sorby's was a hardware merchandise company. They sold to the Hunter District Water Board in 1949.

⁵⁹ Fairfax Media; Pyrmont, New South Wales, Australia; Year Range: 1932 Oct 15 - Dec 10.

⁶⁰ National Archives of Australia; Canberra, Australian Capital Territory, Australia; B2455, *First Australian Imperial Force Personnel Dossiers, 1914-1920*.

⁶¹ Fairfax Media; Pyrmont, New South Wales, Australia; Year Range: 1932 Oct 15 - Dec 10.

⁶² Ancestry.com. *Australia, Marriage Index, 1788-1950*.

⁶³ Ancestry.com. *Australia, Electoral Rolls, 1903-1980*.

Table 1.9 – Title for Lot 98

Date	Title Information	Reference
19 Jun 1928	£188 19s 5p From: AACo To: Basil Belgrave Capper	1521-642
29 Apr 1939	£280 From: Vera Kezia Capper and Roy Stanley Adams (solicitor) To: Harold Blencowe Horley, Vivian Simpson Horley and John James Horley	1845-566
19 Dec 1946	Lots 96, 97 and 98 £1380 From: Harold Blencowe Horley, Vivian Simpson Horley and John James Horley To: John Jamieson	2011-129
20 Aug 1947	Lots 96, 97 and 98 £1438 From: John Jamieson To: Sorby's Pty Ltd.	2031-721
1 Aug 1949	Lots 96, 97 and 98 £2720 From: Sorby's Pty Ltd To: Hunter District Water Board	2097-418
31 Aug 1990	Lots 82, 84-86, 92-98 Section C \$2,500,000 From: Hunter District Water Board To: Plancask Pty Ltd	3820-148 / CA48015



Figure 2.1 Historic overlay showing current lot outline on top of early 20th century plan of AACo subdivision and sale.
Yellow shaded portion of current lot represents footprint of Wests club which will not be impacted by the proposed development.
Overlay by Williams, June 2018.

2.4 DEVELOPMENT

Plans from the 19th century show that while the land was owned by the AACo it remained undeveloped (Figure 2.2, Figure 2.4 and Figure 2.6). The first known development phases to occur across the study site began after the private sales by the AACo during the early 20th century. Historic research suggests that only Lots 85, 86, 93 and 94 show evidence for early 20th century development, the majority of lots remained undeveloped until after the mid-20th century.

Original Lots 85 and 86

A newspaper article from 1930 notes that a warehouse owned by D Mitchell and Co. fronting King street had been broken into. D Mitchell and Co. purchased Lots 85 and 86 in 1920, and an article from that same year calls for tenders for the construction of a large warehouse for D Mitchell and Co in Newcastle West. It is possible that this is referring to Lots 85 and 86. An advertisement from 1926 describes a building for sale fronting King Street as owned by D Mitchell and Co. The building is described as being constructed of brick with an iron roof.⁶⁴ The advertisement describes the dimensions, and these are consistent with the layout of Lots 85 and 86 (Figure 2.7). The advertisement further describes the next-door allotment as a building site with a garage of 'GI construction'.⁶⁵

Another building currently occupying this portion of the study site is a large hangar style building, functioning as a car park at present. The Hunter District Water Board had acquired all the allotments covered by this building by 1951, so it is assumed that this building was constructed by the Water Board sometime after 1951. A photograph from 1961 shows the workers club building after its extension and this building is visible in the background (Figure 2.9). The building covers several of the original allotments including 85 and 86 which once housed the D Mitchell and Co warehouse. It is likely that the early 20th century building including the warehouse was demolished by the Hunter District Water Board in order to build this new, larger building.

Original Lots 93 and 94

A newspaper article from 1928 states Kostakes' intention to construct a brick factory on one of his Bull Street allotments, Lot 94, while Lot 95 was to be left clear to 'allow for future extensions or the easy manipulation of transport vehicles'.⁶⁶ The building would become the Niagara cake factory. An article from 1952, when the land was sold, describes the building as 30 by 80 feet, with a main room and storeroom, and made of brick. The same article describes showers, change rooms and a lavatory.⁶⁷ It also states that the property was surrounded by a secure wood and iron fence.⁶⁸

⁶⁴ Advertising (1926, December 4). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 2.

⁶⁵ Advertising (1926, December 4). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 2.

⁶⁶ Building, Engineering, Machinery and Industry (1928, January 16). *The Newcastle Sun* (NSW: 1918 - 1954), p. 2.

Advertising (1952, February 23). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 7.

⁶⁷ Advertising (1952, February 23). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 7.

⁶⁸ Advertising (1952, February 23). *Newcastle Morning Herald and Miners' Advocate* (NSW: 1876 - 1954), p. 7.

There is a building shown on Lot 94 on a plan from 1960; it is likely that it is the Kostakes factory (Figure 2.8). The study site on this plan is coloured blue which on the key for this plan indicates general business.

This part of the site is currently covered by road access for the West's club. It is possible that the Kostakes factory was demolished when the land was acquired by the Water Board in 1977 or later when the bitumen was laid.

Workers Club

The original workers club building was opened in 1948. This building was later expanded, and the extensions were completed in 1961. In December 1989, Newcastle was hit by a severe earthquake and the workers club was badly damaged. It was reopened by Prime Minister Paul Keating in July 1992.⁶⁹ This is the building that currently occupies the majority of the study site.

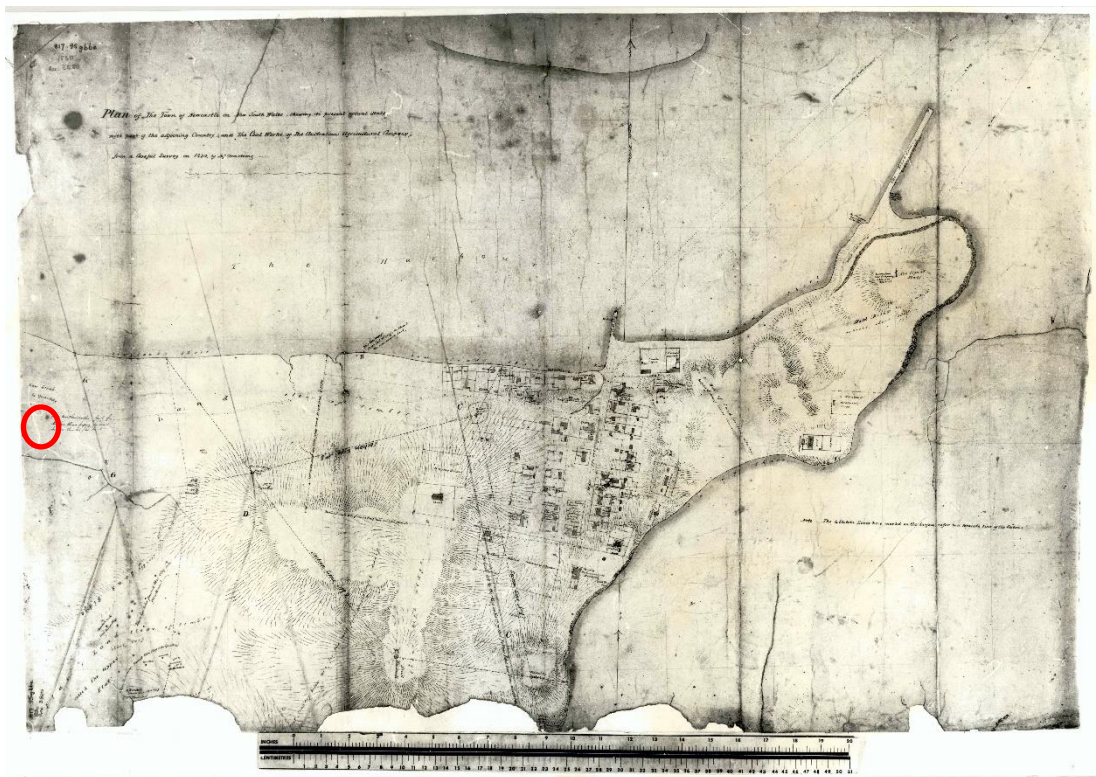


Figure 2.2 c.1830s plan of Newcastle, showing the large portion of land owned by the AACo.

General vicinity of study site outlined in red.

John Armstrong (1830), Alexander Turnbull Library, National Library of New Zealand.

⁶⁹ Boost to earthquake protection (1992, June 22). *The Canberra Times* (ACT: 1926 - 1995), p. 5.



Figure 2.3 c.1853 AACo subdivision.
 Note that the study site forms part of a later subdivision by the AACo. The study site partially encroaches on the portion of land noted as “Church reserve” which appears to have never eventuated into anything.
 Mitchell Library, reference Z M3 811.251 1853.1

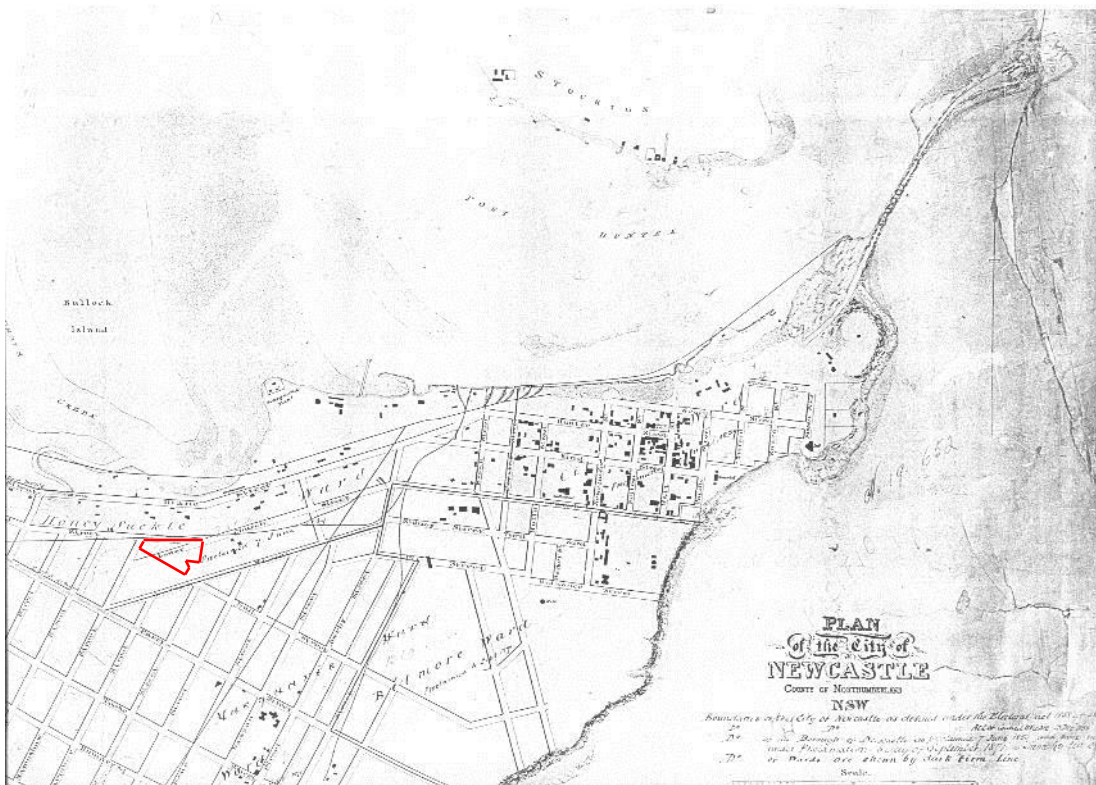


Figure 2.4 c.1857 Plan, study site outlined in red.
 State Records, 1857, reference AO Map 4405.



Figure 2.5 Part of a c.1896 plan of Newcastle, showing the eastern half of the site (left side of Union Street) as undeveloped land. Note the fence line which is running north-south through the study site.
Newcastle and Suburbs, 1896, sheet 38.

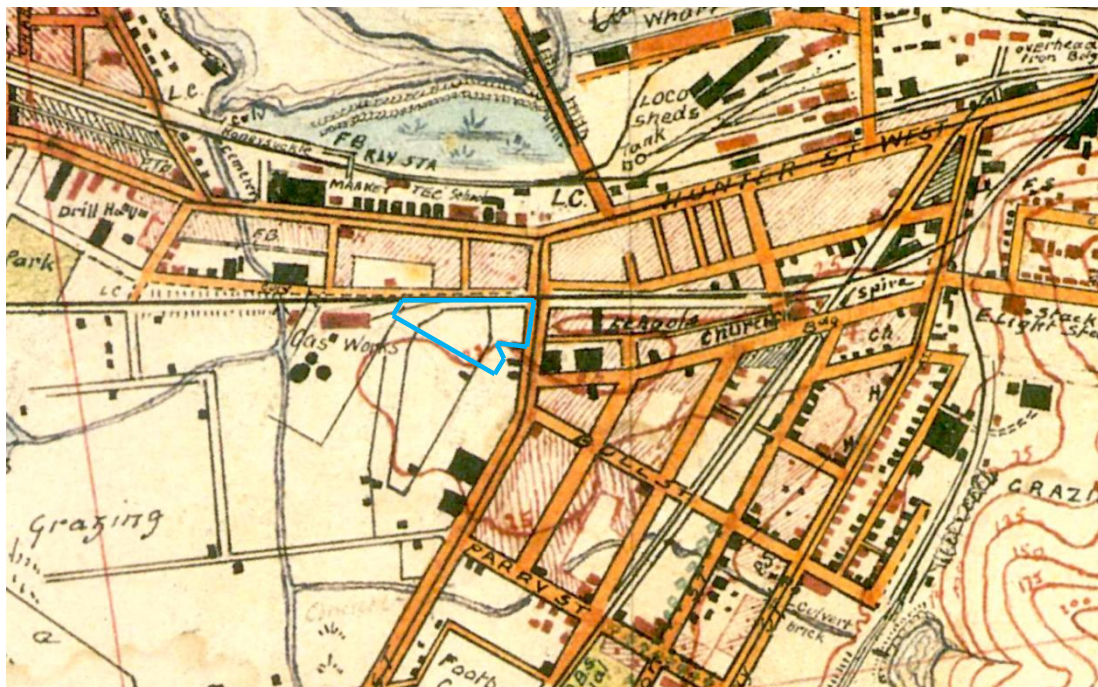


Figure 2.6 c.1910 plan, study site outlined in blue.
University of Newcastle, Flickr webpage, 'Map Treasures', accessed 18th June 2018,
<https://www.flickr.com/photos/uon/sets/72157627003398259/detail/?page=8>

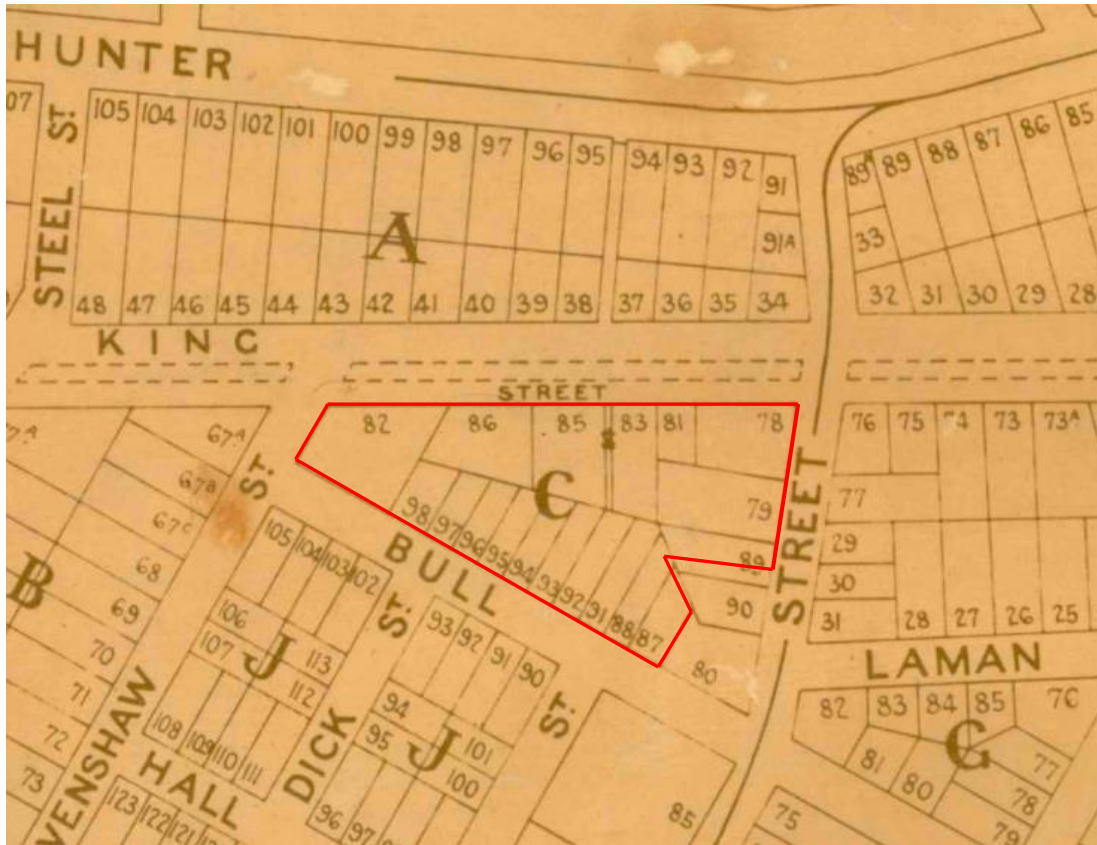


Figure 2.7 c.1926 AACo subdivision, with the study site outlined in red.
Map of the Municipality of Newcastle, Newcastle Cultural Collections,
reference M4831c.

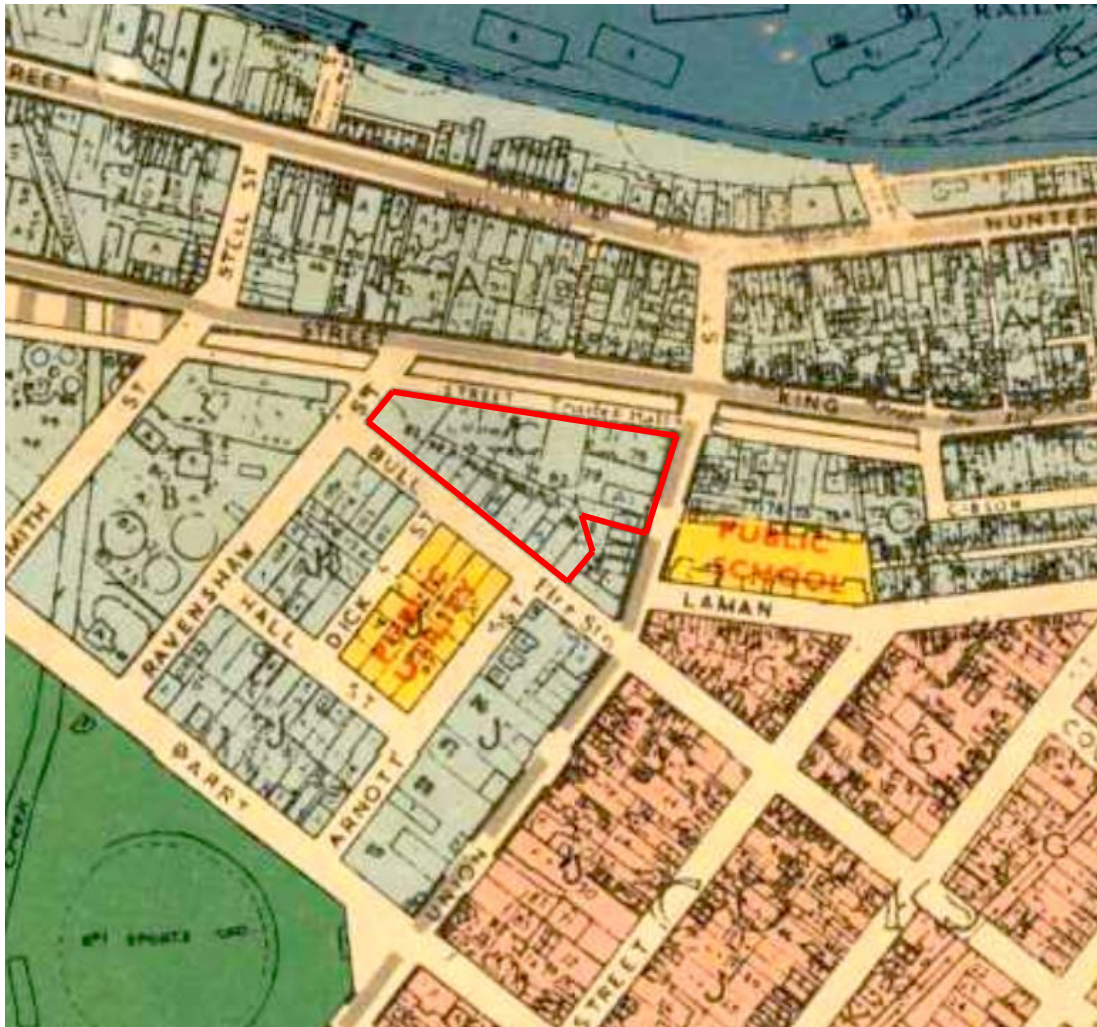


Figure 2.8 Part of a c.1960 plan, study site outlined in red.
Northumberland County District scheme map, Newcastle Cultural
Collections, reference map M4688, sheet 2.



Figure 2.9 Photograph of the workers club extension, 1961.
Hangar style building visible in background circled in red.
Newcastle – Times Past, Black & White Photographs by Ron Morrison.

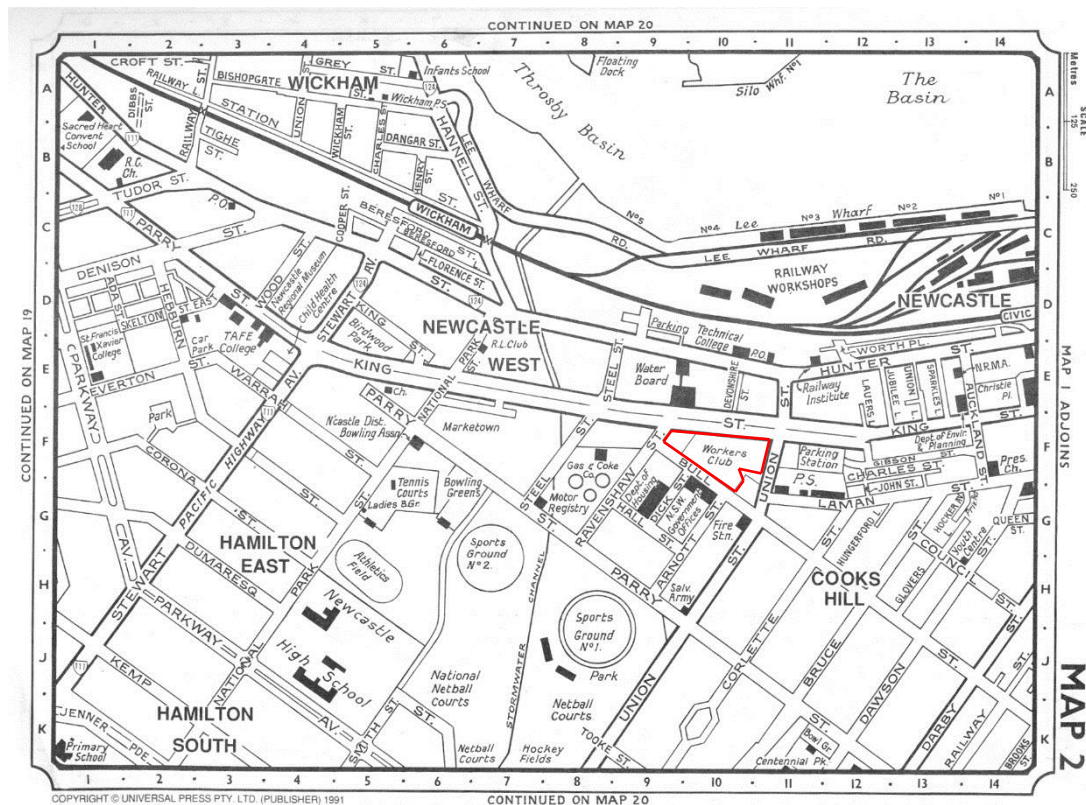


Figure 2.10 1991 plan, study site outlined in red.
Universal Press Pty. Ltd, Map 2, 1991.

3.0 ARCHAEOLOGICAL CONSIDERATIONS

3.1 HISTORICAL ARCHAEOLOGY

Historic research indicates that the study site formed part of a large portion of AACo land during the 19th and early 20th centuries. No evidence has been found from available 19th century plans or records to indicate direct development of the study site during the AACo phase, nor was it located in the vicinity of a mine shaft or associated mining activities. It is more likely that during this time the site formed part of the large portion of vacant land held by the AACo.

The subdivision and sale of the study site during the 1920s signifies the first known development phase at the study site. Two commercial warehouses were constructed during the 1920s, one fronting King Street and the other fronting Bull Street. Furthermore, most of the study site was not developed until the mid-20th century, including the hanger style building which still stands today. In this way, there is little potential for archaeological material of significance to exist at the study site. Based on available historical records, further archaeological investigation into historical archaeology is not considered necessary for this site.

3.2 ABORIGINAL ARCHAEOLOGY

A brief background analysis of the environmental and archaeological context revealed that the study area may contain Aboriginal deposits and/or objects of conservation value in areas which remain undisturbed as well as within disturbed contexts. In view of surrounding landscape features, the study site indicates that sub-surface Aboriginal objects with potential conservation value may be present. The following actions are recommended for the study site;

- Any future development that has the potential to disturb the ground surface that is not classified as an exempt or low impact activity (DECCW 2010) or involves impact deemed to be trivial or negligible, will need as a minimum a Due Diligence Archaeological Assessment in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974 (DECCW 2010).
- Any recommendations arising from this level of assessment should conform to the relevant Office of Environment and Heritage (OEH) guidelines and standards.
- Aboriginal Cultural Heritage Assessments (including consultation in accordance with the Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, DECCW 2010), archaeological test excavation (in accordance with the Code of Practice for Archaeological Investigation of Aboriginal Objects in New South Wales, Part 6 National Parks and Wildlife Act 1974, DECCW 2010), salvage excavation and Aboriginal Heritage Impact Permits (AHIPs) are all possible outcomes from the initial assessment stage and may be required for the proposed development.

4.0 STATEMENT OF HERITAGE IMPACT

4.1 INTRODUCTION

Statement of Heritage Impact for:

The development of a site nearby to items of heritage significance and within a heritage conservation area.

Date:

This Report was completed on 4th September 2018.

Reference:

The site is within the Newcastle City Centre Heritage Conservation Area as scheduled in Newcastle Council's LEP 2012.

Address & Property Description

The site is located at 309 King Street, Newcastle West NSW 2302.

The property description is currently:

Lot 1, in DP 826956,
Lot 232 in DP 792815,
Lot 1 in DP 1046028

Prepared by:

John Carr, a Heritage Architect trading as John Carr Heritage Design, compiled this report.

For:

The report has been prepared for the AMAC Group & Katsalidis (Aust) Pty Ltd on behalf of the Wests Group (Newcastle).

Documentation:

This Statement of Heritage Impact assesses the impact of the proposed development at 309 King Street, Newcastle West, as described on the following Development Application drawings prepared by Fender Katsalidis Pty Ltd, Project No 17121 dated 03/05/2019:

DA000	DA008	DA025	DA099	DA107
DA001	DA009	DA026	DA100	DA120
DA002	DA010	DA027	DA101	DA121
DA003	DA020	DA030	DA102	DA125
DA004	DA021	DA031	DA103	DA126
DA005	DA022	DA032	DA104	
DA006	DA023	DA050	DA105	
DA007	DA024	DA098	DA106	

References:

- Statements of Heritage Impact - Office of Environment & Heritage.
- Assessing Heritage Significance - NSW Heritage Manual 2001.
- Newcastle Council LEP 2012
- Newcastle Council DCP 2012
- Identifying Australian Architecture Apperly Irving Reynolds
- NSW Office of Environment & Heritage - Newcastle West Inventory listings.
- Turner John - Photos of Old Newcastle
- Armstrong JW - Pipelines & People - History of the Hunter District water Board (1967)

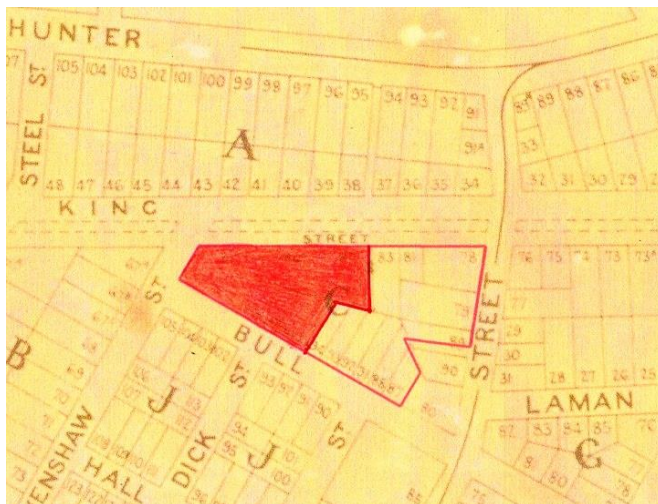
4.2 HISTORICAL BACKGROUND

Refer to Section 2.0 of this document for detailed discussion of the historical development of the study site.



Figure 4.1 Photograph of alterations to the club in 1961.
Newcastle Times Past - Ron Morrison.

The photograph above (Figure 4.1) captures the HDWB vehicular servicing and parking building on site in its current location. The date of the construction of this building is unknown, however it can be concluded that land required for its construction was purchased between 1920 and 1951.



The HDWB acquired the various allotments dated as follows:

- Lot 82 1920
- Lot 95 1949
- Lot 96 1949
- Lot 97 1949
- Lot 98 1949
- Lot 85 1951
- Lot 86 1951

The total area purchased up to 1951 is shown in the map at left coloured red.

Figure 4.2 AACo subdivision amended by JCHD.
Newcastle Cultural Collections, reference M4831c.



Figure 4.3 The original Trades Hall (Workers Club) building.



Figure 4.4 View of the earthquake damage, December 1989.

4.3 HERITAGE ASSESSMENT OF THE EXISTING GARAGE BUILDING

The existing garage building is scheduled to be demolished as part of the proposed redevelopment of the site. The site is within the Newcastle City Centre Heritage Conservation Area. Despite the site not being individually heritage listed, the demolition of a building within a conservation area requires a heritage assessment of that building including its contribution to the conservation area.

The construction date of the building has not been accurately recorded in the available information found to date, such as a foundation stone as found on the HDWB Offices constructed opposite this site in 1964 or within any other documents. In his book *Pipelines and People*, John W Armstrong provided an appendix listing of highlights achieved by the Board year by year.

There was no entry for this building, but on closer inspection an entry was found for the year 1958 for a *New Board garage erected in Gibson Street, Newcastle*. Gibson street is only a few hundred metres east of the subject site, and given the Board had acquired this site in King Street by 1951 it is possible that the 1958 reference is for this building. We also know by the photograph in Figure 4.1 that the garage existed on the site in 1961.



Figure 4.5 The King Street Garage building in relation to Gibson St. Google Maps.



Figure 4.6 The King Street Garage building from the northeast.
Fender Katsalidis.

The end of the building is now open at its eastern end following the construction of the replacement building for the Newcastle Workers Club in 1992, resulting in the driveway access to the basement of the new building requiring the removal of the end brick parapet walls, possibly due to earthquake damage. Another possibility is the safety risk the walls presented to the driveway when the next earthquake hits Newcastle.



Figure 4.7 The King Street Garage building from the west.
Fender Katsalidis.

Under the current Newcastle Local Environmental Plan 2012, Schedule 5 lists the former Newcastle Hunter District Water Board Office site opposite as being of Local heritage significance. The schedule does not include the King Street Garage site in this listing.

The statement of heritage significance for the Newcastle City Centre Heritage Conservation Area is as follows:

The Newcastle City Centre Heritage Conservation Area is significant on many levels. The mix of commercial, retail and civic buildings is a powerful reminder of the city's past, its economic and social history. Historic buildings provide the backdrop to a city of dramatic topography on the edge of sea and the mouth of a harbour. The pre-1840s buildings in the city are of state significance (Rose Cottage, c1830, Newcomen Club, 1830, parts of James Fletcher Hospital) and share associations with the city's convict origins. Newcastle has a rich archaeological record of national significance, with the potential to yield information about the early convict settlement and early industrial activities. The city area is known to have been a place of contact between colonists and the indigenous population. This evidence is available in historical accounts and in the archaeological record surviving beneath the modern city. The high numbers of commercial and civic buildings of the 19th and 20th centuries gives the city a rich historic character which is notable and allows an understanding of the importance of the

city as a place of commerce, governance and city building. The historical foundation of the city was the discovery and exploitation of coal with good shipping access via a safe and navigable harbour. The town's layout by Surveyor General Henry Dangar in 1828 is still visible in the city's streets, and is an element of historical value, particularly in the vicinity of Thorn, Knightley, Hunter and Market Streets.

The significance of the conservation area is largely associated with the early development of Newcastle as a town with potential in resources for trade, eventually growing into a large industrial centre with a major port and railway infrastructure.

The subject site has played a role in this development as part of the HDWB however its role was more in support of the works undertaken by the Board. The building itself has been compromised by alterations following the 1989 Newcastle earthquake and later by removal of the southern wing of the building.



Figure 4.8 The King Street Garage western elevation.
JCHD, digital image 3908.

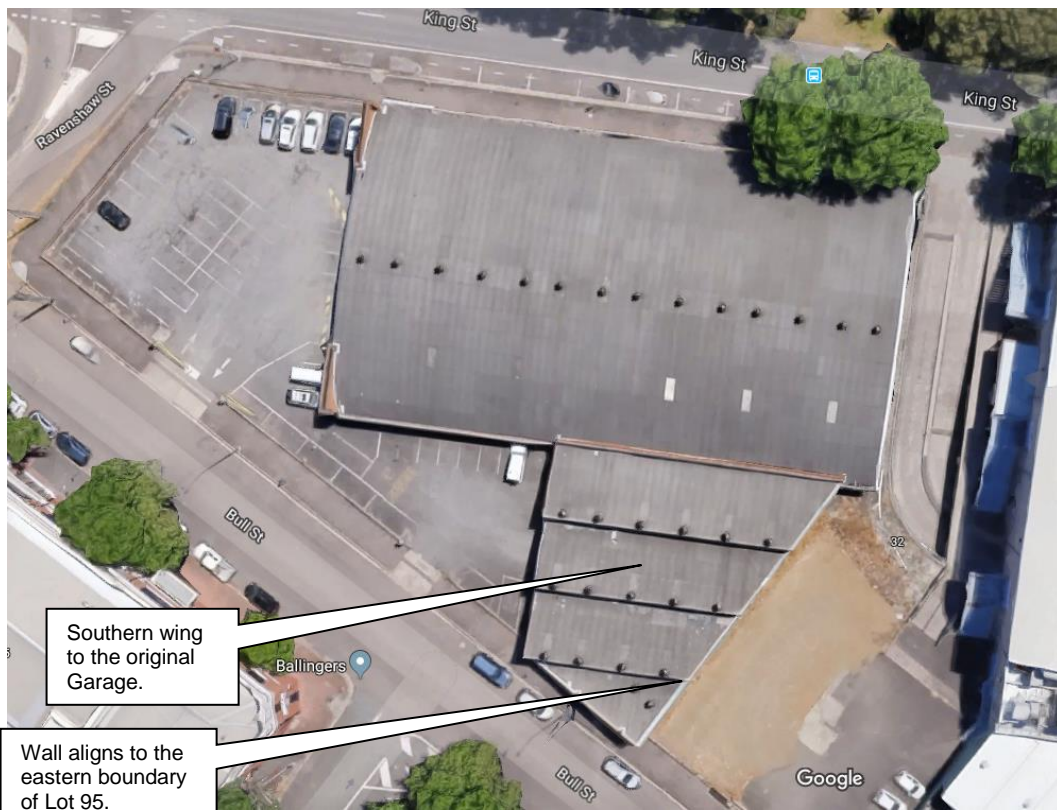


Figure 4.9 The King Street Garage and southern wing.
Google Maps.



Figure 4.10 The King Street Garage southern elevation.
JCHD, digital image 3909.

The building has lost its eastern elevation, compromising the overall presentation of the original design. The building's contribution to the heritage conservation area is limited when examining the statement of heritage significance for the area.

The southern wing, demolished in recent times to improve access and egress from the garage parking area was part of the original building, most likely housing amenities and offices for the HDWB transport arm. The removal of this wing has decreased the building's originality and overall integrity.



Figure 4.11 The King Street Garage southern elevation.
JCHD, digital image 3798.



Figure 4.12 The King Street Garage southern elevation.
JCHD, digital image 3799.

The building's overall condition is fair to good however the roof and accessories are asbestos cement, and the roof portal steel frames are made in short sections with tie rods to prevent roof spread. While the overall design of the building is unusual for the period and looks more like an aircraft hanger than a transport vehicle garage, this style of design is not common in the industrial city of Newcastle. The roof curve is also likely to have influenced the roof design of the 1992 Newcastle Workers Club building.

Assessment of the Building's Cultural Significance:

Assessment of Heritage Value

The former Hunter Water building has been assessed for heritage significance as part of this SoHI. The assessment is based on criteria developed by the NSW Office of Environment & Heritage using the following values:

- Historical significance
- Aesthetic significance
- Research/Technical significance
- Social significance

Levels of Significance:

The assessment of significance also requires that the level of significance be determined:

1. *National significance (significant to the people of Australia)*
2. *State significance (significant to the people of NSW)*
3. *Local significance (significant within the local government area)*

Integrity & Grading of Significance:

The integrity of the physical and documentary evidence must be such to enable a sound analysis of the significance of the place. Loss of integrity or condition may diminish significance. Different components of a place may make a different relative contribution to its heritage value.

Grading (significance)	Justification	Status
EXCEPTIONAL	Rare or outstanding element directly contributing to an item's local and State significance.	Fulfils criteria for local and State listing
HIGH	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfils criteria for local and State listing
MODERATE	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfils criteria for local and State listing
LITTLE	Alterations detract from the significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
INTRUSIVE	Damaging to the item's heritage significance.	Does not fulfil criteria for local or State listing.

The following analysis of significance uses the criteria identified in the Heritage Act:

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

- *The building represents a growth of the HDWB in this area as a response to its growth as a result of major water and sewerage works. Hunter Water left the site for a new smaller building in 2006 to upgrade its office accommodation to house a smaller staff. The King Street garage building was no longer required by the Board for garaging and servicing its vehicles. By itself, the building is of Little historical significance in the Board's long history.*

Criterion (b): Association of Life or Works - An item has strong or special association with the life or works of a person or group of persons, of importance in the cultural or natural history of the local area (Local Significance).

- *This building does not satisfy these criteria. No strong or special association with a person or group of importance in the local area was found. The opening of the building for use didn't rate a foundation stone. The site is of Little associative significance.*

Criterion (c): Aesthetic Characteristics - An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area (Local Significance).

- *The aesthetic of the building is a version of Late Twentieth Century Structuralist style but does not demonstrate the style in the same manner as other buildings of the era constructed in Queensland and Canberra.*
- *The building has now been significantly altered, reducing its original design appearance and cannot be easily interpreted without an experts opinion. The site is of Little aesthetic significance.*

Criterion (d): Cultural, Social or Spiritual - An item has strong or special association with a particular community or cultural group in the area for social, cultural or spiritual reasons (Local Significance).

- *This building does not satisfy these criteria.*

Criterion (e): Understanding - An item has the potential to yield information that will contribute to an understanding of the area's cultural or natural history (Local Significance).

- *This building does not satisfy these criteria. The 1896 Newcastle Survey shows there were no buildings on the site at that time, the first known development phase to any part of the study site dates to the early 20th century.*

Criterion (f): Endangered Item - An item possesses uncommon, rare or endangered aspects of the area's cultural or natural history (Local Significance).

- *This building does not satisfy these criteria. The remains or the original design are not of an exemplar nature to warrant retention.*

Criterion (g): Demonstrating Principal Characteristics - An item is important in demonstrating the principal characteristics of a class of the area's cultural or natural places, or, cultural or natural environments (Local Significance).

- *The place is not considered to be representative due to its limited bulk and scale for a commercial building and the recent changes to its livery.*

Summary of Significance:

The assessment of significance is summarised as follows:

Criteria	Level of significance	Grading of significance
Historical	Local	Little
Aesthetic	Local	Little
Social	Local	Little
Research	Local	Little

Statement of Cultural Significance:

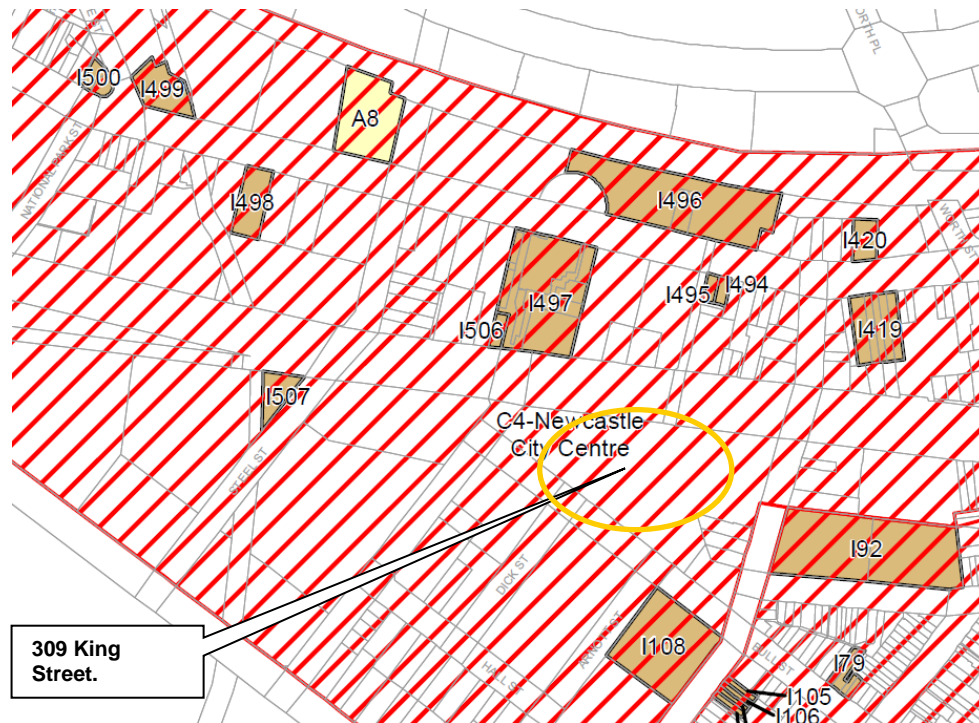
The former Hunter District Water Board garage building has little Local heritage significance, having been constructed in 1958 to house the Board's transport fleet as the expansion of the Water Board accommodation needs had outgrown its 1916 premises opposite on the Hunter Street frontage. Alterations to the building now detract from the original design which has lost its eastern facade and the whole of its southern wing.

Quality of Contribution:

While the garage building is not worthy of an individual heritage listing, it still may contribute to the character of the heritage conservation area. The building's design is recognised as being rare for an industrial city however at the same time is not an exemplar of the design style of Late Twentieth Century Structuralist. Add to this the reduction in size and design of the original building leads to the conclusion that the building would be classified as "Non Contributory" to the Newcastle City Centre Heritage Conservation Area.

4.4 THE SETTING

The subject site is located at 309 King Street, Newcastle West and is approximately in the centre of the heritage conservation area.



Item name	Address	Property description	Significance	Item no
Cooks Hill Special School	100–102 Laman Street	Lots 250 and 251, DP 749870	Local	I92
Fire station	44 Union Street	Lot 1, DP 77102	Local	I108
Former Emporium Building	517–525 Hunter Street	Lots 800 and 801, DP 562199; Lot 1, DP 175318; Lot 1, DP 979900; Lot 1, DP 175320	Local	I419
Former police station	558 Hunter Street	Lot 3195, DP 705450	Local	I420
Former City Bank	553–557 Hunter Street	Lot 1, DP 1101230	Local	I494
Former CBC Bank	559 Hunter Street	SP 76614	Local	I495
Newcastle Technical College	590–608 Hunter Street	Lots 1 and 2, DP 852552	Local	I496
Hunter Water Board Building	599 Hunter Street	Lot 1, DP 595677	Local	I497
Theatre Royale	669 Hunter Street	Lot 111, DP 75158	State nominated	I498
Bellevue Hotel	738 Hunter Street	Lot 101, DP 1096718	Local	I499
Bank Corner (former Bank of NSW)	744 Hunter Street	Lot 1, DP 75008; Lot 1, DP 196241	Local	I500
Miss Porter's Residence	434 King Street	Lot 441, DP 998073	State	I506
Former Gasworks office	461 King Street	Lot 1, DP 797175	Local	I507

Figure 4.13 The Newcastle West Heritage Map & Schedule 5 list.
Newcastle LEP - HER 004 FA.



Figure 4.14 Aerial view of the subject site in King St.
Google Maps.

It is clear from the overall aerial view of the Newcastle West area that the subject site is well within an area of development associated with the last half of the twentieth century and first quarter of the twenty first century. The general area is corralled between the residential areas to the east, south and west of King Street and to the north by the harbour. There are thirteen individually listed heritage sites within this curtilage of the subject site that warrant some comment on heritage impact.



Figure 4.15 Aerial view of the King Street building & Miss Porter's Residence.
Google Maps.



Figure 4.16 Hunter St looking south across the car park to Miss Porters.
Google Maps.



Figure 4.17 Item 506: Miss Porters Residence

This is the closest listed item to the site of the proposed development. It is of particular interest as the staff of the Water Board were good neighbours to the Misses Porter following the 1989 Newcastle earthquake which damaged their house. The residence has always been separated from the 1962 HDWB building by a car parking area. The proposed development is not considered to have an affect on the heritage significance of the residence due to the setback of the upper two towers on the four-story podium which incorporates some landscaping to soften the materials of the facade. The width of King Street and its landscaping also reduces the impact of the development. The scale of the terrace house is a reminder of the scale of original residences in the area.



Figure 4.18 Item 507: the former Gasworks building

This building faces the corner of Steel Street and King Street and is some distance away from the subject site. The partial screening of the site by street trees coupled with the distance determines that the proposed development is not considered to have an affect on the heritage significance of this building.



Figure 4.19 Item 497: the former Hunter Water Building

The 1916 building is now on a separate title to the King Street building. Having been assessed as having little Local heritage significance due to recent extensive alterations, the King Street building's proposed additions must be considered in regard to the proposed development. The proposed residential accommodation towers look onto the roof and the rear of the former Hunter District Water Board building. The King Street building acts as a screen when viewing the 1916 building and its detail, including the side (western) elevation. This building addresses Hunter Street which has the greatest detail and character. The development will not impact on this building.



Figure 4.20 Item 496: the Hamilton TAFE, Hunter Street Campus

This site is screened to a large degree by existing buildings, street trees and distance. The proposed development is not considered to have an affect on the heritage significance of this site as it will act a backdrop only observed in the distance from the upper floor.

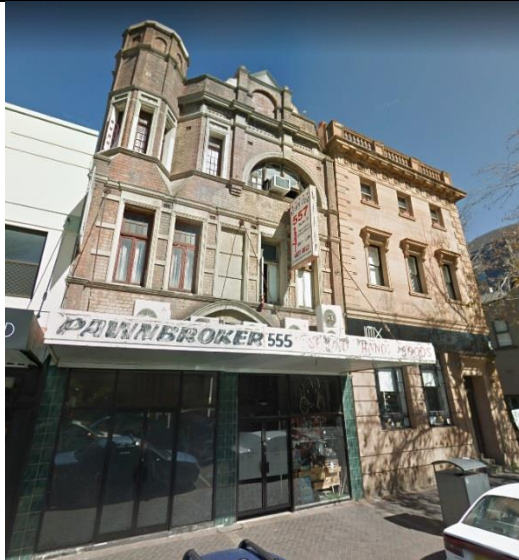



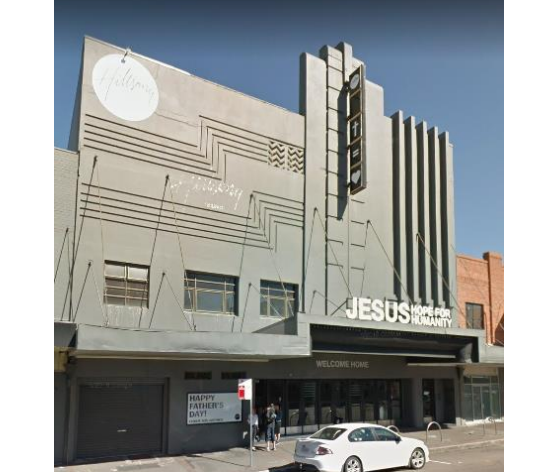


Figure 4.21 Item 494: the former City Bank (Left)

This site is screened to a large degree by existing buildings, street trees and distance. The building is largely designed as a street facing facade that looks to the north and the Hunter Street TAFE building opposite. The proposed development is not considered to have an affect on the heritage significance of this site.

Item 495: the former CBC Bank (Right)

This site is screened to a large degree by existing buildings, street trees and distance. This sandstone building has a pedestrian walkway on its western side from which the development will be seen. The building however is considered to address Hunter Street with the walkway providing a quality three-dimensional view from Hunter Street. The proposed development is not considered to have an affect on the heritage significance of this site.

	<p>Figure 4.22 Item 419: the former Emporium Building</p> <p>This site is screened to a large degree by existing buildings, street trees and distance. This group of terrace shops faces onto Hunter Street looking to the north. The development looks to the rear of this site and its rooftop. The proposed development is not considered to have an affect on the heritage significance of this site.</p>
	<p>Figure 4.23 Item 420: the former Police Station</p> <p>This site is screened to a large degree by existing buildings, street trees and distance. The development will not be seen from this site that looks south onto Hunter Street and the Emporium building opposite. The proposed development is not considered to have an affect on the heritage significance of this site.</p>
	<p>Figure 4.24 Item 108: the Cooks Hill Fire Station</p> <p>This building was severely damaged in the 1989 Newcastle Earthquake leaving only its Union Street facade intact and requiring its roof and Bull street facade to be reconstructed. The Union Street facade faces away from the development and having the four-storey podium as the dominant section of the development drawing the viewer's eye from ground level. This has a similar affect as the existing Government Office Block. The towers are set back on the podium which has a landscape element to soften the masonry of the development. The proposed development is not considered to have an affect on the heritage significance of this site.</p>

	<p>Figure 4.25 Item 92: Cooks Hill Special School</p> <p>This site consists of two large brick school buildings, now used for special purposes. The second building was subdivided off from the site and is owned by the WEA training group. Both buildings come under this listing. The development is west of this site and it is considered that the natural screening of trees and distance provides reasonable protection against any impact on their heritage significance. The proposed development is not considered to have an affect on the heritage significance of this site.</p>
	<p>Figure 4.26 Item 498: former Royal Theatre</p> <p>This building faces the north onto Hunter Street and is some distance away from the subject site. The partial screening of the site by street trees coupled with the distance determines that the proposed development is not considered to have an affect on the heritage significance of this building.</p>
	<p>Figure 4.27 Item 499: former Bellevue Hotel</p> <p>This building faces the south onto Hunter Street and is some distance away from the subject site. The partial screening of the site by street trees coupled with the distance determines that the proposed development is not considered to have an affect on the heritage significance of this building.</p>
	<p>Figure 4.28 Item 500: former Bank Corner building</p> <p>This building faces the southeast onto Hunter Street and is some distance away from the subject site. The partial screening of the site by street trees coupled with the distance determines that the proposed development is not considered to have an affect on the heritage significance of this building.</p>

The Newcastle City Centre Heritage Conservation Area:

The aims of the conservation area are to preserve contributory buildings that show the growth of Newcastle, in this case the Civic and West End Precincts, which were only partially developed during the nineteenth century, but slowly changed once Newcastle Council decided to build their new City Hall at Civic instead of within the "Old Town" associated with the Post Office, former Legal Precinct and Commercial CBD.

The development of the Civic area was in competition with the development of local housing at Hamilton South and East together with rejuvenation of the Cooks hill area, resulting in a mixture of period housing.

Light industry and open paddocks that lined King Street began to make way for development of the Hunter Street West area. The HDWB owned various allotments of land and in the early 1980s the NSW Government used a former HDWB site in Bull & Hall Streets to erect the Newcastle Government Offices. The 1962 HDWB building on King Street opposite the subject site added to the growth and change of this area, surviving until 2007 when it was extensively renovated following its sale in 2006 to a private owner.

The Newcastle Local Environmental Plan was developed in 2012 and provided a clearer guide to the preferred development of high-rise buildings centred on the west end of the city and linked to the development of the Honeysuckle Precinct.

The proposed development is sited within the high-rise corridor located towards its southern extremity on Parry Street and is one of a number of high-rise buildings presently under construction, the bulk of which offers a mix of commercial and residential accommodation.

4.5 THE PROPOSED DEVELOPMENT

The Wests Club in Newcastle recognises a need for high quality aged care accommodation and provision for conjoined independent living apartments. These two uses would occupy the base and tower form on the west section of the site respectively. Residential accommodation is also highly desired in this precinct and compliments the broader urban renewal of the Newcastle CBD. This use would occupy the base and tower form at the east section of the site. Two levels of basement car parking are proposed below a ground level accessed off King Street.

Newcastle has retained a number of new and old buildings and public open spaces all from differing eras in the city's growth. The context of built form around the subject site shows a majority of solid masonry forms in brick, concrete and some sandstone. Other examples include various glass and curtain walls and louvered facades as well as terracotta and timber facades. The proposed architecture of this development is an evolution of the surrounding built form. It imagines a highly articulated masonry plinth, containing open and active street frontages, window openings with landscape integrated into the built form. Precast concrete in varying texture and colour finishes is proposed for this plinth to reflect those few important public buildings of similar material. Aged care and serviced apartment accommodation occupy these lower levels and characterises the facade with a number of individual and personalised window openings. These provide shading and privacy. They also present opportunities for plantings to both soften the built

form and provide good visual amenity inside and out. Integrated landscape appears as a dominant feature of this design, particularly at the street and podium levels.

Two glazed towers project from the upper podium level and differentiate from it through lightness of materiality and the use of smooth curved forms. The result is a unique and contemporary built form on the Newcastle skyline. It is soft and curvaceous and mitigates wind downdraft at ground level. Heat gain from low east and western sun is mitigated by louvre blades featuring on these facades. Recognition of the glazed tower form appears at ground level as the plinth base peels away to form building entries. At higher levels, residents will enjoy views to the Harbour, Nobby's Head and Lighthouse, Pacific Ocean and National Park.

Each of the three accommodation types has separate access. The aged care facility is accessed via a dedicated drop off along King Street. Its lobby is flanked by a medical centre and salon. Podium residential apartments are also accessed from King Street. The lobby is integrated in a café and other commercial opportunities activating the building corner facing Wests Club and the proposed pedestrian link. Independent living apartments are accessed from Bull Street and feature lobby, lounge and recreational facility facing a further communal green space separating the two proposed tower forms. Residential Apartments are also accessed from Bull Street on the opposite side of the communal green space. These four lobbies and associated retail or communal facilities will activate the ground plane and provide constant surveillance and security to the proposed buildings and the precinct.

The architects state the objective of this design is to provide Newcastle with manifestly outstanding building, contributing positively to its context and the existing streetscape. It provides accessible landscaped public open space and important pedestrian links. It also provides the Newcastle community with a range of highly desired accommodation typologies. The ground plane will be active and vibrant, offering a range of commercial and retail spaces.

Essentially the design is built around a large podium of four floors founded on basement parking and servicing areas. This podium then has two articulated towers, each 10 levels above the common Podium level.

The proposed development remains generally within the height allowance for the site as determined by the Newcastle LEP 2012.



Figure 4.29 NCC LEP 2012 Height Level Planes.



Figure 4.30 View of the King Street facades from the east.
Fender Katsalidis.



Figure 4.31 View of the King Street facades from the west.
Fender Katsalidis.



Figure 4.32 View of the Hall Street facades from the east.
Fender Katsalidis.

The views of the facades of the proposed development at street level confirm that the podium levels will be a dominant feature. The podium creates a cut off affect equivalent to a four-storey building. The two towers that rise above this podium are finished in a different form in both design and materials selection. This change combined with the setback provides a visual separation of the building's dominating podium from the two towers. When viewed from close proximity to the site, it is the podium that the observer sees first and then after looking upwards, the two towers are then observed.

This break in the overall height of the building allows the development to sit comfortably on both the site and the immediate surrounding area. The nearby heritage items and buildings that contribute to the conservation area, relate more to this four-storey development in the first instance as this aspect dominates the site.

Heritage items and contributory buildings at a greater distance from the subject site will observe the development in more of its entirety of fourteen storeys as allowed under the LEP 2012, but the impact of this development is still mitigated by the use of two towers sitting on a larger podium base.

4.6 THE DEVELOPMENT CONTROL PLAN 2015

NDCP 2012 Requirements:

The subject site will need to satisfy the following clause from the DCP:

6.02.07 Infill development in a heritage conservation area

All new development in the conservation area should be treated as 'infill', that is, it should respect the design of its neighbours and the character of the area generally. Similar principles are applied to infill development as are applied to alterations and additions, and must begin with an understanding of the design and heritage significance of the buildings to which it relates.

Infill development should not copy or replicate its neighbouring traditional buildings. Rather, it is appropriate to interpret the features of the neighbouring buildings and design them in a way that reflects and respects them.

Where a development application is submitted for infill development, appropriate design advice from an architect or accredited building designer should be obtained. A brief design statement should be written by the design professional to explain the form and style of the proposal and explain how it relates to the heritage conservation area.

Objectives

1. Infill development respects the design of its neighbours and the character of the heritage conservation area.
2. Infill development achieves a harmony of character; sympathy of scale; appropriateness of form; appropriate orientation and setback, and sympathetic materials and details within heritage conservation areas.
3. Infill development demonstrates a good fit within its setting that respects the neighbouring buildings and the character of the heritage conservation area.

The above objectives are important and have been considered during the design of the infill building in relation the neighbouring adjacent buildings on Union and Bull Streets as well as the near surrounding area.

The "**Objectives**" have been addressed as follows:

1. The proposed design has been carefully broken into segments specifically to relate to nearby buildings of a lower scale. The LEP 2012 has dictated the allowable heights of both the base podium at four storeys and the towers that rise above the podium to provide a total height of fourteen storeys. The design and finish of the podium is based on more recent developments in the area such as the Government Offices in Bull Street and the Newcastle Permanent building on the corner of King and Union Streets. The use of materials commonly found in the area including precast concrete, render and brick are used in the design and finish of the podium. The bulk and scale of the four-storey podium sits comfortably against the exposed concrete finish of the Government Offices opposite the subject site.
2. The proposed design provides a building with similar setbacks to more recent high-rise developments within the heritage conservation area. A number of nearby buildings in the area have a zero setback off the street boundaries. The main setback in this development is associated with the towers that rise above the podium levels. The two towers are finished in a more lightweight glass and panel arrangement to provide a distinctly different look to the more solid and dominating podium below. The development is distinctly contemporary in its design and presentation to the conservation area, while using materials and finishes found in the area.

3. The proposed design demonstrates a good fit within its setting against the existing Wests Club and other contemporary late twentieth century large or high-rise developments nearby. The development is comparative to other similar developments in the West End of Newcastle, some of which are much higher.

Section 5.05 of the Newcastle Development Control Plan 2012 sets out guidelines for development near listed items of heritage significance. The objective is to ensure development in the vicinity of heritage items is designed and located in such a way that the heritage significance of the heritage item is conserved.

There are two categories of **Controls** to satisfy:

1. New development and alterations and additions in the vicinity of heritage items respects and enhances the setting and significance of the heritage item with regard to the following elements:

(a) building podium envelope	The building's podium envelope is designed to be dominant on this site to provide a four-storey contemporary design to blend with other more recent nearby developments.
(a) building tower envelope	The building's two towers have glazed and open envelopes for residential living purposes and are similar to other residential tower developments currently under construction in Newcastle.
(b) proportions	The mass and scale of the proposed building podium is approximately the same height as the nearby Government Office Block. Whilst a minor variation to the LEP height standard is required, the proposal is generally consistent with the 45m height limit prescribed in the NLEP 2012.
(c) setbacks	The building is designed with a three-metre setback in line with the LEP 2012 requirements. The tower setbacks also satisfy the LEP requirements.
(d) material and colours.	The selected materials of concrete, face brickwork, coloured renders and precast concrete will blend well with colours and materials used in the area. The towers are finished in a darker glass and metal partition to reduce their visual dominance.

2. Development in the vicinity of heritage items respects the heritage item by:

(a) retaining adequate space around the heritage item to enable its interpretation.	The subject site while nearby to at least two items of Local heritage significance, is not so close as to impinge on the space surrounding the heritage items or affect their interpretation. Other items are at a distance to be unaffected.
(b) conserving significant landscaping including horticultural features, trees, and outbuildings.	There are no existing trees on the subject site. Street trees will be replaced and landscaping included. The existing Garage has been assessed as non-contributory to the conservation area.
(c) enabling archaeological sites to be conserved in accordance with relevant approvals.	This site is not regarded as being of historical archaeological potential as it has largely been undeveloped up until the first quarter of the twentieth century. Refer to Section 3.0 of this report for archaeological considerations including Aboriginal archaeology.
(d) retaining significant views and lines of sight to the heritage item.	The proposed building is set away from the listed items but is near to a contributory item. The subject site is surrounded on three sides by streets, protecting views.

4.7 ASSESSMENT OF HERITAGE IMPACT

- **How is the impact of the proposed development on the heritage significance of the surrounding conservation area & nearby items to be minimised:**

The site is located in an area of commercial development between the Civic and Newcastle West which is within the Newcastle City Centre Heritage Conservation Area. The development is also adjacent to the heritage listed Miss Porters House which is the closest heritage item to look directly at the development across King Street. The site is also nearby to other individually listed heritage items and contributory buildings.

By creating a four-storey podium structure housing both commercial areas and aged care levels, the development addresses the surrounding area with a dominant highlighted building as the base of the overall development.

Added to the base or podium, but set back off its edges, are two residential tower blocks catering for individual residential units and assisted aged care units. The use of glass and voids to balconies as well as dark coloured panels, these two towers are to some degree reduced in their visual impact by the dominance of the lower portion of the development.

The contemporary design of the building clearly links its development to the previous and current growth in the city of buildings of higher levels as influenced by the LEP 2012.

- **How does the proposed development affect views to and from the conservation area and adjacent heritage items? What has been done to minimise negative affects:**

This portion of the conservation area when viewed from the air is obviously an area of redevelopment stretching east to the Civic and west to the West End, as well as north to Honeysuckle and the Harbour and south to Parry Street.

Views to and from this portion of the conservation area are largely restricted to streets or between buildings of large proportions. The benefit of having a twin tower arrangement allows the views between these buildings to be maintained, albeit restricted to a degree.

Negative affects have been minimised by the selection of materials and colours, particularly at podium level, that can be readily found in the surrounding area.

- **Is the development sited on any known or potentially significant archaeological deposits? If so, have alternative solutions been considered? Why were they rejected?**

Refer to Section 3.0 of this report.

- **Is the new development sympathetic to the conservation area & heritage items? In what way (e.g. form, siting, proportions, design)?**

The development is considered to be sympathetic to the adjacent conservation area which has a number of contemporary designed commercial buildings and apartments constructed on re-zoned land as the density of the city moves west. The proportions and design of the podium levels provide a visual link to nearby high rise buildings with similar podiums and towers with expressed balconies, prefinished metal wall panels and generous window areas.

- **Will the public still be able to view and appreciate the conservation area and nearby listed heritage item's significance?**

The development is sited on a site previously used as a car park. The width of King Street and other surrounding streets will protect the views within the heritage conservation area as the observer moves around. The proposed development will not prevent or interfere with views of the surrounding conservation area or nearby heritage items.

STATEMENT OF HERITAGE IMPACT:

The proposed development at 309 King Street Newcastle, on the former Hunter District Water Board site (now Wests Club) will have minimal impact on the heritage significance of the adjacent and nearby listed heritage items or the surrounding heritage conservation area and other nearby individual contributory items due to the design of the development being dominated by a four-storey podium level building which sits comfortably within the surrounding precinct. The two separate tower buildings have been modelled in glass and dark metal panels separated by open balconies, all set back off the edges of the podium and boundaries to reduce the visual impact of the development.

The individual listed buildings have been examined and it has been assessed that the development will have minimal impact on the heritage significance of all items examined due to existing screening, distance from the development and in many cases the dominant aspect of the item, such as the main facade, faces away from the proposed development.

5.0 CONCLUSION & RECOMMENDATIONS

The proposed development of 309 King Street Newcastle to provide aged care and independent living accommodation in the city has been assessed to have minimal impact on the heritage significance of the Newcastle City Centre Heritage Conservation Area and nearby heritage items.

The site currently used by the Wests Club for parking was once a series of small allotments subdivided by the AACo during the first quarter of the twentieth century. The HDWB made an initial purchase directly from the AACo in 1920 and followed through with various purchases in 1949 and 1951 until it acquired enough land to construct the existing garage on the site in 1958. Further purchases of land were made from the 1970s onwards until the present site area had been established. Following a move of the Head Office from Hunter Street to Honeysuckle in 2006, the Board's land holdings were subsequently sold.

A heritage assessment of the garage building found that it was of little heritage significance at a local level as a result of the significant alterations undertaken in 1992 with the removal of the eastern end of the building and again in more recent times with the demolition of the southern wing, all of which detracted from the original design of the building and weakens any potential cultural significance.

The proposed development was found to have minimal affect on the heritage significance of the adjacent heritage conservation area and the nearby individual heritage items due to the design emphasising the four-storey podium as the dominant element of its overall design and the screening and distance of individual nearby heritage items.

Recommendations:

The following recommendations should be considered for this project:

- The existing garage should be photographically archivally recorded and copies provided to Newcastle Regional Library. *Reason - to provide a record of the building that dominated this site from 1958 to the present day.*

Yours faithfully,



John Carr
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Arch.
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NSW ARB 4128)

9 th May 2019	D	Corrections for DA submission
19 September 2018	C	Amalgamation into Main report
4 September 2018	B	For inclusion in main report.
25 August 2018	A	Draft for comment
Date	Rev	Description

(End of Report)

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