

10 September 2024

Our Ref: H-22001

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Dear Elle,

**RE: ADDENDUM TO HERITAGE IMPACT STATEMENT (HIS), DATED APRIL 2023, IN RESPONSE TO
REQUEST FOR ADDITIONAL INFORMATION - HERITAGE MATTERS
NEWCASTLE EAST END STAGES 3 & 4 - RE2024/00002**

This addendum has been prepared in response to the request for additional information issued by the City of Newcastle (CN) on 20 August 2024 regarding the Section 8.2(1) Review of MA2023/00175 - Concept Development Application relating to Stages 3 and 4 East End of the development at 105, 109, 111 & 121 Hunter Street, 3 Morgan Street, 22 Newcomen Street, and 66-74 King Street in Newcastle. This addendum to the previous HIS (City Plan Heritage, April 2023) specifically addresses the 'Heritage matters' raised in the above noted RFI letter.

The 'Heritage matters' included in the subject RFI are quoted below to assist in easy referencing:

1. Heritage

The Hunter Central Coast Regional Planning Panel (HCCRPP) has requested the application address any impacts that the proposed development may have upon the curtilage of the Christ Church Cathedral, noting the surrounds of the site form part of the local and state heritage listings.

Greater consideration of potential heritage impacts is therefore required, pursuant to Clause 5.10(4) of the Newcastle Local Environmental Plan 2012 (NLEP 2012).

It has been amended following the site visit with the Regional Planning Panel on Monday, 2nd September 2024 in order to assess the additional view analysis/photomontages undertaken by Urbis as requested by the City of Newcastle's view consultant.

In summary the following addendum concludes that:

- The proposed modification including the redistributed scale and mass of the Concept DA envelopes will have marginal change in a positive way due to the opportunity of creating the 'Harbour to Cathedral' visual corridor and link that was not available in the Concept DA.

- The Concept DA was completely blocking the views to the Cathedral from the Harbour along Market Street.
- **The** State and local heritage values of the Cathedral as being an extraordinary piece of architecture in a most dramatic setting, providing evidence of the early town planning of Newcastle city centre, and its visual dominance defining its city skyline will be respected and preserved while significantly enhancing its appreciation as a landmark through the 'Harbour to Cathedral' visual corridor This follows the central axis seen in Dangar's 1823 plan.
- Additional view corridor has also been created through tapering the new building (3W) to open a new view corridor from the corner of Thorn Street, which did not exist to date.
- Creation of these additional and significant view corridors were made possible by the demolition of the Council car park and by the redistribution of the mass and scale to the other parts of the NEE Stages 3 & 4. Considering the positive and enhanced benefits to the heritage context and State level significance of the Cathedral having marginally increased height and scale towards the north of the Cathedral is an acceptable compromise.
- The foreground of the Rest Park was already partially blocked under the Concept DA and the slight increased obscureness does not adversely affect the dominance and landmark qualities of the Cathedral.
- The relatively smaller footprint of Building 3S and its tapering form allows the building moves more quickly through the sky as one moves around the site. Furthermore, the building continues to diminish as it gets taller to open up the view to the Cathedral more quickly than otherwise larger/latter block form as it was under the Concept DA.
- The eastern end of the city is built on and into the hill, with existing buildings vary in height, scale and proportion. This forms an undulating urban fabric especially when viewed from a distance across the Harbour.
- By adopting a playful skyline, the proposed buildings blend in and are disguised within the pre-existing assembled urban fabric. They are complementary to the cityscape rather than competing with it. The 3S tower adds to the memorable silhouette of Newcastle, although always subservient to the profile of the Cathedral.
- The distance between the Cathedral and the closest Buildings 3S and 4S, which are separated by King Street and the Rest Park coupled with the Cathedral being at the south end of the grounds at the top of the hill, allows for an appropriate buffer zone for the appreciation of the landmark qualities and dominant presentation of the Cathedral across the close public domain and at distant views and vistas.
- The height of the Amended DA design is an appropriate one in the highly constrained setting of the NEE Stages 3 & 4 for the reasons noted and discussed in this addendum.
- Review of the additional view analysis from Stockton Park (views VPA & VPB) as requested by the Council's view consultant, it is acknowledged that the view to the Cathedral will be obscured more than the concept DA mass; however, the tower and central nave remain unobscured. Notwithstanding, this obscureness occurs for a short distance along the park then improves with more open views when one moves towards the ferry wharf. The viewpoints from the park, which are requested by the Council's view consultant, are random and not one of the viewpoints identified in the Newcastle DCP, and also were not considered as part of the Concept DA assessment. As such, the conclusion of the addendum HIS remains the same in that the increased height and re-distribution of mass in comparison with the benefit gained from the creation of new visual corridors to the Cathedral that were not possible under the

concept DA creates an acceptable compromise from a heritage perspective. The important views that are identified in the DCP are being enhanced under the amended DA.

RESPONSE

In addressing the requirement of the HCCRPP under Clause 5.10(4) of the LEP consideration will need to be given to a few aspects as detailed below. Clause 5.10(4) is extracted below:

*(4) **Effect of proposed development on heritage significance** The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).*

The following key aspects will be considered in order to establish the effect of the proposed development on the heritage significance of the Christ Church Cathedral

1. the established heritage curtilage for the Christ Church Cathedral both physically and visually as identified in its local and State heritage listing forms and maps,
2. statements of significance for both local and State listing
3. views and setting of the Cathedral historically (overtime)
4. visual analysis from various view corridors and comparison of views between the Concept DA and the MOD designs; and
5. Concerns on overcrowding of the Cathedral and grounds' curtilage

Each of the above noted aspects will be discussed in detail on the following pages.

1. The established heritage curtilage for the Christ Church Cathedral both physically and visually as identified in its local and State heritage listing forms and maps

The inventory forms for the local (Item # I562) and State (SHR # 01858) heritage listings of the Christ Church Cathedral under the *Newcastle Local Environmental Plan (LEP) 2012* and the *NSW Heritage Act 1977* respectively establishes the heritage curtilage of the Cathedral as its allotment boundaries and defines it in the heritage maps accordingly. The subject LEP heritage map (sheet HER_004K) and the SHR plan have been provided below for reference. It is clear that the LEP curtilage and SHR curtilage cover different allotments associated with the Cathedral. While the SHR curtilage extends across the cemetery to the north allotment, the LEP curtilage includes the cemetery under separate listing (Part 3 of Schedule 5) as an archaeological site and the allotment of the Cathedral under Heritage Items (Part 1 of Schedule 5).

The inventory form for the local heritage listing notes the name of the item as " Christ Church Cathedral, Park and Cemetery" with its curtilage as " Follows property boundary, see image no. 9 for curtilage". It should be noted that the readily available inventory form for local heritage listing as provided in the State Heritage Inventory (SHI) Database does not include any images; and therefore it is anticipated that the curtilage is the same as it is defined on the Newcastle LEP 2012 heritage map copied below. Another point to clarify is that the LEP listing refers to Lot 3 of DP 36886 as the allotment listed as a heritage item but the subject allotment on which the Cathedral building is described as being Lot 3 of DP 1149011 in the records held by the NSW Land and Property Services, suggesting that the DP for the subject allotment has been

changed since the LEP listing is updated. The SHR listing plan refers to the current Lot/DP as being of Lot 3 DP 1149011 (Cathedral) and Lot 1 DP 36886 (Cemetery).

There is no known or readily available Conservation Management Plan for the Cathedral although there have been a number of archaeological assessments, a Cathedral Master Plan and a conference paper¹ on the repairs works following the 1989 earthquake. While one of the archaeological reports (AMAC, *Cathedral Rest Park Final archaeological report*, April 2014) and the above noted conference paper provide some conservation policy recommendations they are not directly relate to the curtilage or setting of the Cathedral. Similarly, the Cathedral Park Master Plan (adopted in July 2012) does not provide a curtilage but includes view corridors with reference to the DCP City East view corridor map (then Element 6.2 & Map 13). The view corridors have been discussed under the third consideration point further in this addendum letter.

Based on the statutory LEP and SHR listing curtilages of the Cathedral, its physical curtilage is confirmed as being of the allotment boundaries as defined under the State heritage listing Lot 3 DP 1149011 (Cathedral) and Lot 1 DP 36886 (Cemetery) - see the SHR plan in Figure 2 below.

There will be no impact on the physical curtilage of the Christ Church Cathedral by the stages 3 & 4 development. Notwithstanding, the visual curtilage extends beyond the allotment boundaries of which has been discussed under the remainder of the consideration points below.



Figure1: (Above) LEP heritage listing curtilage for the Cathedral (item I562) as defined in the heritage map (Source: Newcastle LEP 2012 map HER_004K)

¹ B.J. (Barney) Collins, J.W. (Bill) Jordan (December 2009) "Earthquake Newcastle NSW" presented at the Australian Earthquake Engineering Conference. Figure 2: (Right) SHR curtilage plan incorporating both the Cathedral & Cemetery allotments (Source: Heritage NSW, SHR listing form)



2. Statements of significance for both local and State listing

The following Statements of Significance have been quoted from the State and local heritage inventory form of the Christ Church Cathedral in order to understand what has been considered being significant in terms of views and vistas as well as the setting of the Cathedral. Sentences relevant to the visual curtilage have been highlighted in red.

State Heritage Register - SHR # 01858

Christ Church Cathedral with its moveable collection, park and cemetery is historically significant because of its origins in early convict history and the establishment of the Anglican Church in New South Wales.

*The Cathedral is associated with a number of prominent architects, churchmen and government officials during the nineteenth century. John Horbury Hunt's 1868 plans exemplify Arts & Crafts principles - using bricks rather than stone for structural and decorative purposes. It is the largest of the cathedrals designed by Horbury Hunt, the largest Anglican cathedral in New South Wales, the largest provincial Anglican cathedral in Australia and **an extraordinary piece of architecture in a most dramatic setting**. Its collection of stained glass is outstanding in both state and nation for its size and quality.*

Technically, the German-developed Cintec system of strengthening masonry by insertion of a combination of an anchor of stainless steel rods and controlled grouting was pioneered in Australia in repairs to the Cathedral after the 1989 earthquake.

The Cathedral's moveable collection contains many unique or rare items memorialising those who served in war, especially World War I. It includes fittings and ecclesiastical items of exceptional quality as well as the state's only Victoria Cross not in private ownership and the nation's only surviving Union Jack flown by Australian soldiers throughout the Gallipoli campaign. The Cathedral is a place of pilgrimage for veterans, their families, friends and descendants, from all around Australia.

The rest park was one of the earliest European burial grounds established in New South Wales, pre-dating Christ Church. It is the site of convict burials and provides significant evidence of changing burial customs during the nineteenth century. Sections of footings from the original Christ Church beneath the Cathedral's floor, were recorded and left undisturbed during the restoration works of 1995-97, to facilitate further investigation.

The Cathedral grounds and former cemetery have retained the same basic size and shape set out in Henry Dangar's original 1823 town plan, providing evidence of early town planning.

While it is not included in the Statement of Significance above, the SHR form includes the following under Criterion C (Aesthetic Significance) of the assessment criteria:

... It has landmark qualities, having dominated and defined the Newcastle skyline for many years. The form, scale, colour, texture and materials of the fabric combine to present a piece of extraordinary architecture in a most dramatic setting.

LEP SHI form (Item no. I562)

Christ Church Cathedral, Park and Cemetery are historically and aesthetically significant at state level. The Cathedral is the largest of the Cathedrals designed by one of Australia's most influential architects, John Horbury-Hunt. It visually dominates Newcastle's city centre and defines its skyline. It is situated on top of Church Hill and the city has been mapped out around it. The story of the construction and development of the Cathedral is interwoven with the establishment and growth of Newcastle into NSW's second largest city. Its level of significance is reflected by the number of prominent individuals who have visited the Cathedral. These have included various Governors of NSW, Bob Hawke when he was Prime Minister, Governor Generals, Archbishops of Sydney as well as Archbishops of Canterbury and York.

The cemetery, which is now also a rest park, is historically significant at a state level because it was one of the earliest European burial sites to be established in NSW and one of the few that remain undeveloped and accessible. The history of the site reflects the changing social burial customs in NSW during the 19th century. The site itself has a long, continuous association with Australia's religious history, being the site of one of the earliest churches and European burial grounds in Australia.

As seen in the above Statements of Significance the visual curtilage of the Christ Church Cathedral is its location at the ridgetop of The Hill and its dominance over the skyline of Newcastle City Centre. None of the identified historical, aesthetic, landscape setting or being the *largest of the cathedrals designed by Horbury Hunt, the largest Anglican cathedral in New South Wales, the largest provincial Anglican cathedral in Australia and an extraordinary piece of architecture* values will be affected by the amended design and scale of the Newcastle East End Stages 3 & 4. Similarly, the *basic size and shape* of the Cathedral that is *set out in Henry Dangar's original 1823 town plan* will not be affected by the current proposed layout and form of the NEE Stage 3 & 4 development. It will remain in providing evidence of the early town planning for Newcastle city centre.

The main consideration here is - whether the amended redistribution of building mass across the site to accommodate the City of Newcastle's long held desire to create a link from 'Harbour to Cathedral' will have any adverse impact on the Cathedral's most dramatic setting or its visual dominance of the Newcastle's city centre as well as role in defining its skyline.

The likely impact of the proposed development on the above visual heritage values of the Cathedral can be explored and tested through the analysis of the historical setting of the Cathedral overtime and visual analysis from various view corridors and comparison of views between the mass of the Concept DA and the current MOD design.

In addition to the State and local statements of significance, while strictly not related to the Cathedral building itself, consideration will need to be made to the values identified in the *Cathedral Park Master Plan* (City of Newcastle, 2012). The Master Plan defines the Park as "Uniquely Newcastle" as below:

With its historical significance dating back to the city's origins, its setting overlooking the harbour and adjacent to Christ Church Cathedral, Cathedral Park has the potential to provide a unique experience for locals and visitors alike.

The Conservation Policy (Master Plan p.28) for retention and enhancement of visual links notes "Retain and enhance visual links Identify and remove trees of lower retention value which detract from the view corridor of the city and harbour." Similarly, the design of the endorsed Master Plan (p.14), which is copied below (Figure 3), provides for viewing areas and memorial pathway from the entrance of the Cathedral down to the King Street entry of the Rest Park. The key viewing area and the memorial pathway are, essentially at the axis of the 'Harbour to Cathedral' link that was possible to be created under the MOD design and redistribution of the building mass/heights across NEE Stages 3 & 4. This link will enhance the **dramatic setting** of the Cathedral by putting it into the centre of the visual frame when looking up from the Harbour along Market Street and its extension towards King Street. The landmark qualities of the Christ Church Cathedral will not be detrimentally affected as evident from the photomontages and visual analysis undertaken by Urbis.

The playful skyline of the new buildings within the NEE Stages 3 & 4, including the free-standing retention of the Municipal Building and incorporation of the contributory buildings with the new additions behind and above, remain well below the porch and the tower of the Cathedral. As such, the Cathedral remains as a landmark dominating and defining the Newcastle skyline.

The proposed development would not prevent the delivery of the Master Plan rather it would, in fact, strengthen its design objectives detailed on page 15 of the Plan.

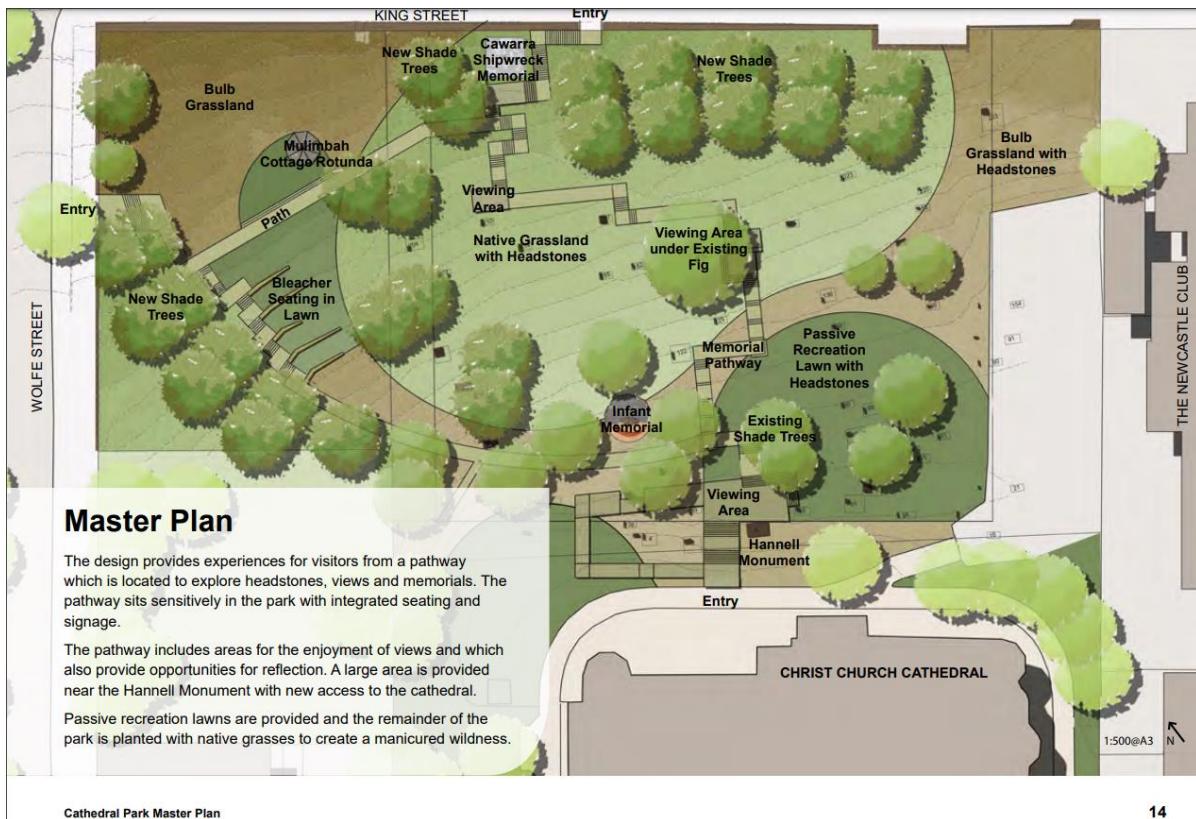


Figure 3: Endorsed Master Plan for Cathedral Park showing the viewing areas and memorial pathway between the entry to the Christ Church Cathedral and the Park entry along King Street. This view corridor essentially will coincide with the 'Harbour to Cathedral' link that is proposed under the current MOD. (Source: City of Newcastle, 2012, available online at <https://newcastle.nsw.gov.au/getmedia/7CB18D3F-A884-4403-BE87-0CF78B9829C9/Cathedral-Park-Master-Plan-low-res-for-web.pdf>)

3. Views and setting of the Cathedral historically (changes overtime)

In order to understand the historical importance of the Cathedral it is necessary to look into the historical development of Block 3 of NEE, in particular. It is evident from the original layout of Newcastle, the Henry Dangar's 1823 plan, the Church grounds and market place were placed at the central axis of the then King's Town. By 1887 the town centre including the buildings on both sides of Hunter Street were well developed with the allotment allocated for the Market Place being occupied by the Borough Market building, a two-storey Victorian Gothic revival with two turrets at either side and a central decorative pediment (Figure 5).

In 1916 the Borough Market building was demolished to make way for the development of the Strand Theatre (Figure 6), 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 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 north². As can be seen from the images provided below, all taken from the mid-section of the current Market Street towards the Cathedral, visibility of the Cathedral in a south direction was nil until the demolition of the Strand Theatre in 1979 and before it was blocked again by the Market Square shopping centre. Distant views to the top of the nave's pediment and the tower were available depending on how far north the image was taken from.

The proposed 'Harbour to Cathedral' link under the current design of the NEE Stages 3 & 4, the original 1823 plan with a direct visual link from the harbourfront to the Cathedral will be reinstated. This is considered as a significant achievement that could be made possible through the redistribution of the building mass across the site, which was not possible under the Concept Plan.

² 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/>

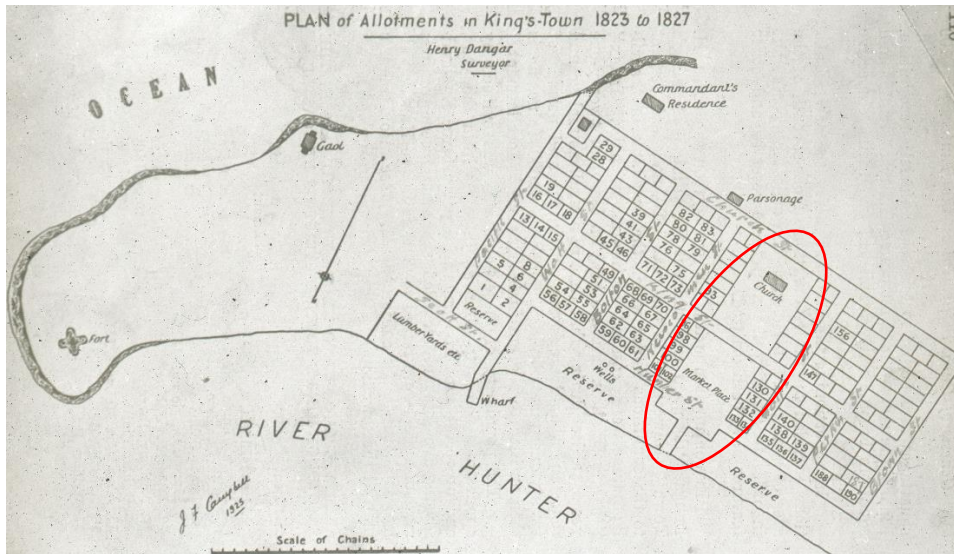


Figure 4: Dangar's plan of Newcastle, NSW, 1823 (1823), [A5194-001.5]. Living Histories, accessed 26/08/2024, <https://livinghistories.newcastle.edu.au/nodes/view/11251>



Figure 5: 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/uon/3964536525/in/photostream/>)





Figure 7: Images of the Cathedral above the Council car park following demolition of the Strand Theatre and prior to the construction of the Market Square shopping centre (left); and during to the demolition of the Council car park taken by the undersigned. (Source to the left image: 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/>)

4. Visual analysis from various view corridors and comparison of views between the Concept DA and the MOD designs (Consistency with the original Concept DA heritage principles)

The original Concept DA site & context analysis and design principles for heritage established a number of views and vistas as well as heritage overlay/advice on the retention and treatment/adaptive reuse of the heritage items and contributory buildings across the four blocks of the NEE development under the then co-ownership of GPT and UrbanGrowth NSW. In order to assess the likely impacts of the proposed current MOD design it is important to undertake comparative illustrative analysis to determine the level of impact and whether such impact is an acceptable one or not. The Visual Impact Analysis photomontages by Urbis have been used as applicable in this section. The key views identified in the Concept DA site analysis have been cross-referenced with the Newcastle Development Control Plan (DCP) 2023 Views and Vistas map (Figure E5.13 in Section E5 Newcastle city centre - Part 16.0). The table below indicates the cross-referencing for easy navigation between the two documents, and the Urbis VIA report.

As can be seen from the comparative analysis of the Concept DA and the MOD design mass provided on the next pages (Table 1) the identified views and vistas from various landmark sites and vantage points will remain essentially the same with only marginal increase in obscuring at close distance public domain views in terms of being within the setting or front ground of the Cathedral grounds. The landmark heritage values and defining the skyline of the Newcastle city centre associated with the Christ Church Cathedral will be maintained and preserved.

There will be no detrimental impact on the established and identified views and vistas under the Newcastle DCP 2023 Figure E5.13 and the Concept DA heritage analysis and principles.

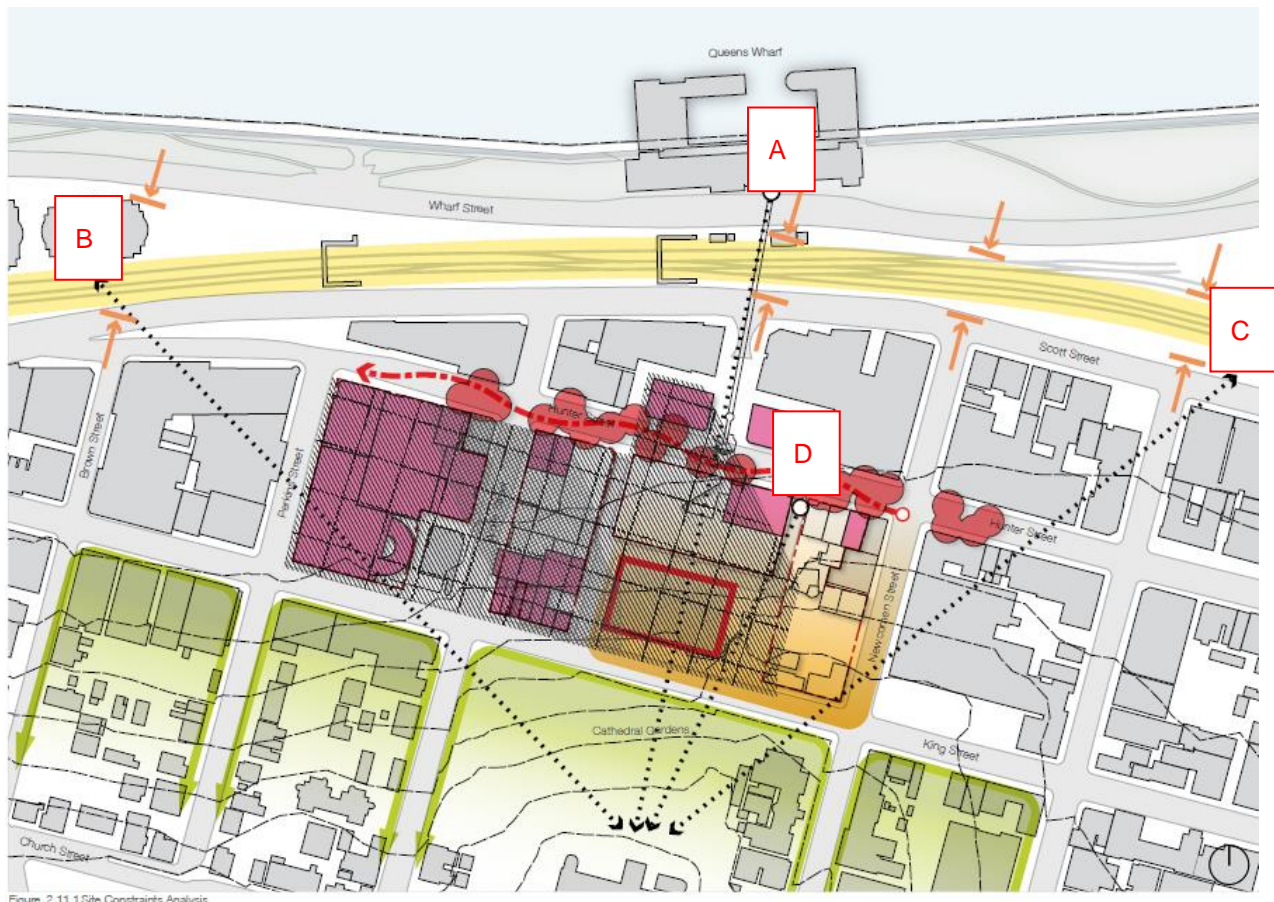






Figure 8: Views and vistas identified in the original Concept DA in 2015 (above). Views associated with the Cathedral as identified under the



Table 1: Comparative analysis of views between the Concept DA, DCP views & MOD design (see Urbis VIA for full scale)

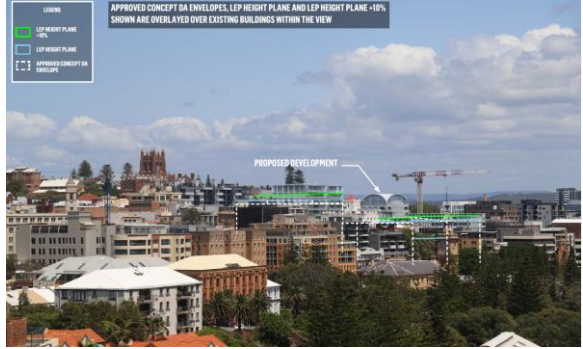

Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
A - CBD from Queens Wharf	15 - Wharf Road to Market Street	 <p>Discussion:</p> <p>As explored under Point 3 above the close public view corridor to the Cathedral were not available until the demolition of the Market Square shopping centre and the buildings that occupied the Hunter Street Mall frontage of the site - terminating Market Street on the south. The proposed MOD provides an opportunity to create the clear unobstructed view corridor 'Harbour to Cathedral' link as desired by the Council. This link will reinstate the visual axis that was included in Dangar's 1823 plan of Newcastle. As noted earlier, this is a significant improvement and enhancement to the views towards the cathedral that were long not available along the public</p>

Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
		domain, rather the upper section of the nave and the tower were visible from the distant views.
B - Perkins Street to Cathedral	N/A - no views identified from this direction	 <p>Discussion:</p> <p>While the Concept DA analysis identifies a view corridor from the corner of Perkins Street towards the Cathedral there is no clear view towards the cathedral currently. The buildings along Hunter Street do not allow any visual glimpse to the Cathedral.</p>
View from the corner of Hunter Street Mall & Thorn Street to the Cathedral	N/A	 <p>Discussion:</p> <p>View from the corner of Hunter Street Mall and Thorn Street towards the Cathedral and grounds was not available as seen in the above Google Street view taken prior to the demolition of the Council car park. Hence, they were not included in the DCP 2023 key views map. The current design/orientation of the new building at this corner (3W) has been specifically tapered in southeast direction opening up views to the Cathedral as seen in the below photomontage.</p>

Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
		<p>This new view corridor together with the Market Square 'Harbour to Cathedral' link creates additional opportunities to view the Cathedral from Hunter Street Mall public domain that were not available to date.</p> 
C - From Nobby's pedestrian walkway	N/A - no views identified from this direction	 <p>Discussion:</p> <p>The distant view to the Cathedral from the Nobby's pedestrian walkway will not be affected by the proposed MOD design. The new development largely set to the northeast of the</p>

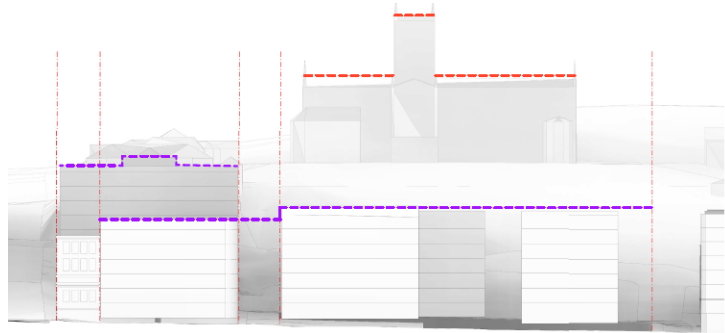
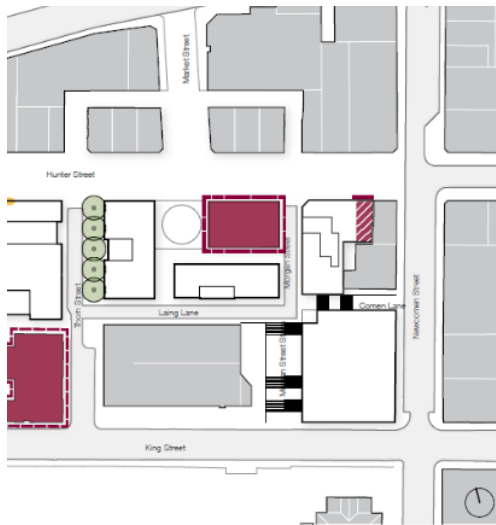
Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
		Cathedral's views in this direction. The views are preserved from the Nobby's.
D - from Cnr Hunter and Morgan Streets	17 - Hunter Street Mall - cnr Morgan Street	 <p>Discussion:</p> <p>The views to the Cathedral from the corner of Hunter Street Mall and Morgan Street will remain almost the same. The new building (3S) at the back of the Municipal Building will be slightly setback from Morgan Street then the existing rear addition of the Municipal Building, which will be demolished under the proposal.</p>

Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
N/A	15 - Wharf Road to Market Street	
 <p><i>Concept DA</i></p>		 <p><i>Amended DA</i></p> <p>Discussion:</p> <p>As noted under Concept DA view 'A' above, the views to the Cathedral were not available from this direction (see the photomontage to the left). The Concept DA would completely be blocking the views to the Cathedral as evident here and above. Re-distribution of the building mass across the site by taking the opportunity of the Council's car park's demolition, which was not in consideration at the time of the Concept DA, allowed for the creation of a new view corridor 'Harbour to Cathedral' link. This view corridor will provide improved dominance and dramatic setting of the Cathedral and as such enhancing its State level heritage values.</p>

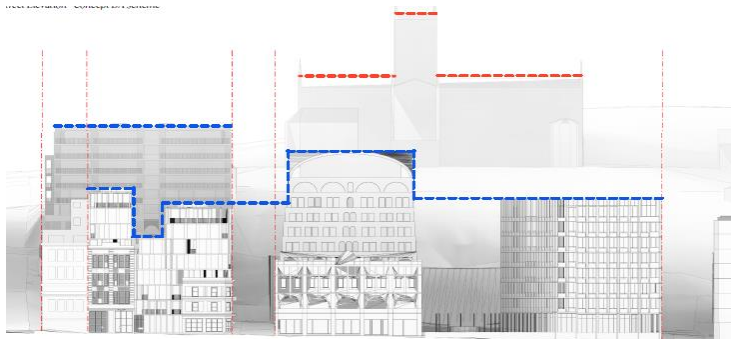
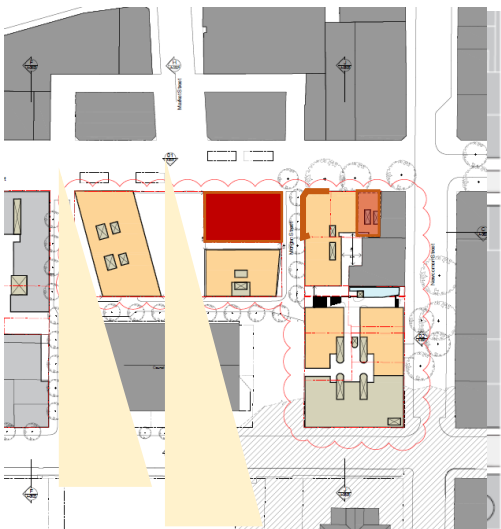
Concept DA analysis	Newcastle DCP 2023	Photomontage (Urbis VIA report - April 2023)
N/A	20 - Parade Ground, Fort Scratchley	 <p>Discussion:</p> <p>Views from Fort Scratchley Parade Grounds to the Cathedral will not be affected by the proposed MOD design. The height of the development is clearly below the key elements (nave & Tower) of the Cathedral and as such maintains its dominant setting at the backdrop of the new development.</p>
N/A	21 - Stockton Ferry Wharf	 <p>Discussion:</p> <p>Similar to the views from Fort Scratchley, the views from Stockton Ferry towards the Cathedral will not be adversely affected. Only lower part of the rest park will be marginally obscured, which was already blocked in the Concept DA. The new development will sit side-by-side to the east of the Cathedral but at a lower scale preserving the dominance and defining the skyline of Newcastle city centre. The Tower and the entire Cathedral including the upper parts of the rest park remains unblocked.</p>

5. Concerns on overcrowding of the cathedral and grounds' curtilage

Concept DA



Amended DA



Discussion:

It is understood that there have been concerns on cluttering the curtilage of the Cathedral and its grounds due to the amended DA and increased height at the southern portion of Blocks 3 and 4. In order to discuss

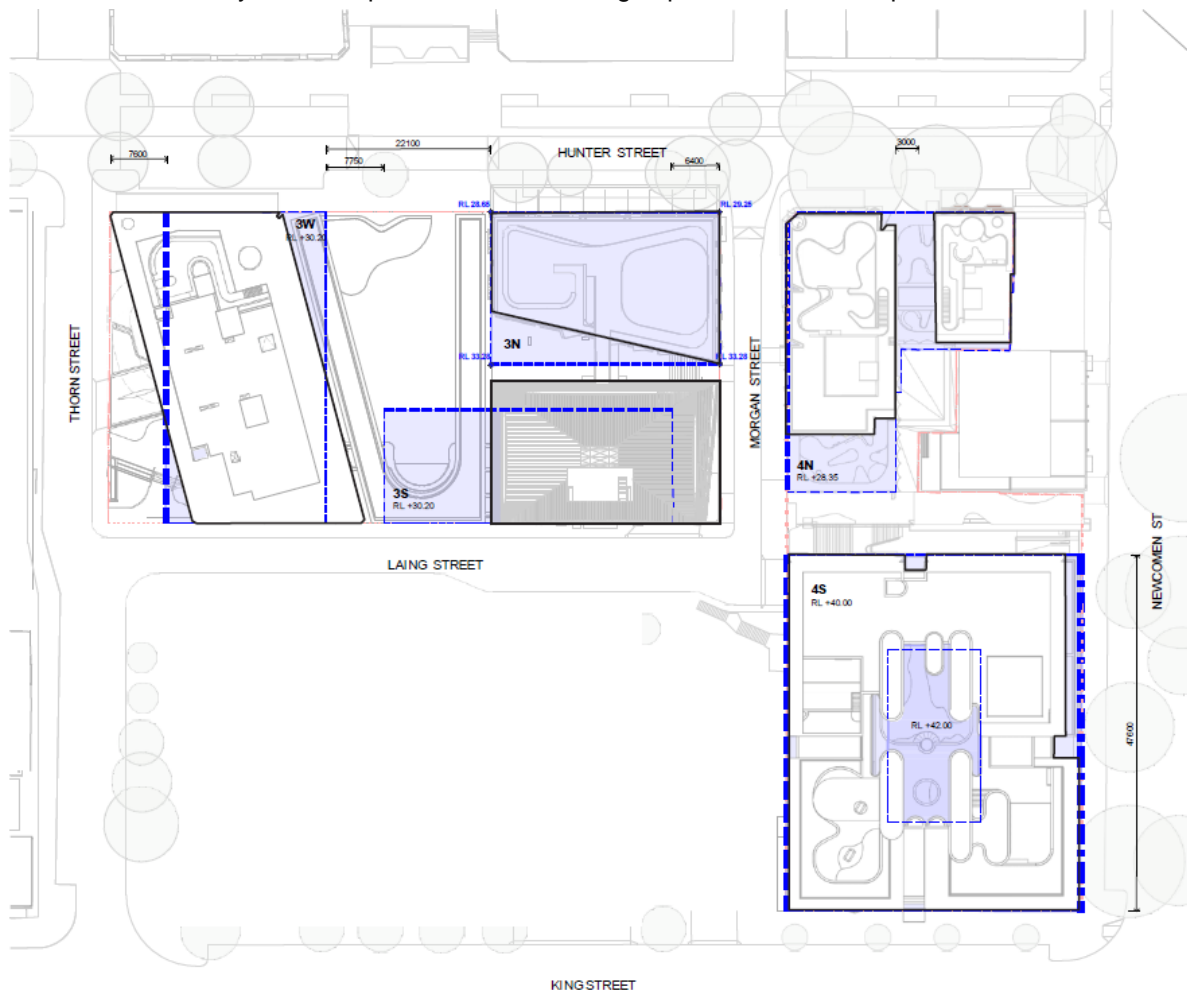
the differences between the Concept DA and the Amended DA it is worth to look back to the *Heritage Design Principles* of the Concept DA of which have been implemented and further improved under the Amended DA as explained throughout the April 2023 SOHI and this addendum. The key principles of the Concept DA were:

- *Heritage Retention + Fabric:* Comparison of the heritage retention plan included above indicates the consistency with the Concept DA fabric retention, which included the Municipal building as a whole and façade of 105 Hunter Street. The Amended DA retains additional fabric including the Municipal Building as a whole and 105 and 109 Hunter Street. The Concept DA had a vertical addition above the Municipal building while the Amended DA allows for the Municipal Building as a stand-alone building with no vertical addition for appreciation of its full scale across Hunter Street Mall and from public domain wherever it can be seen. Additional fabric retention with no additions over the Municipal Building is a significant improvement from the Concept DA in relation to heritage matters within the City Centre HCA.
- *Holding the Street:* The Amended DA maintains this urban design principle and further improves it through holding the corner of Thorn and Hunter Streets whereas the Concept DA had building 3W setback from Thorn Street to the east to align with the Council's car park - changing the original street wall pattern of the city centre layout. The Amended DA brings back Building 3W to the corner then tapers it in southeast direction to open views up towards the Cathedral. Another positive aspect of the Amended DA in relation to heritage matters.
- *Topography + Skyline:* The Amended DA successfully utilises the topography of the development site and creates a playful skyline unlike the Concept DA, which had almost all buildings at the same height with only Building 4S being elevated. The redistribution of the height and mass across the site taking advantage of the demolition of the Council car park allowed for further enhancement of the playful skyline of the competition scheme that responds to the playful skyline silhouette of the Cathedral behind.
- *Cathedral Views:* As evident from the comparative photomontages and elevations provided in this addendum, and the Architects' combined response to the concerns, the Amended DA has created more views towards the Cathedral than the Concept DA had. This is particularly important at 'Harbour to Cathedral' link and views from the corner of Thorn and Hunter Streets both of which were not available under the Concept DA. Creation of these additional and significant view corridors, which are identified in the DCP as being of important views, were made possible by the demolition of the Council car park and by the redistribution of the mass and scale to the other parts of the NEE Stages 3 & 4. Considering the positive and enhanced benefits to the heritage context and State level significance of the Cathedral having marginally increased height and scale towards the north of the Cathedral is an acceptable compromise from a heritage point of view. The foreground of the Rest Park was already partially obscured under the Concept DA and the slight increased obscureness does not adversely affect the dominance and landmark qualities of the Cathedral. This is also evident from the additional view analysis - while acknowledging two oblique views from Stockton Park would be obscured under the amended DA more than that of the Concept DA; the dominance of the tower and the nave pediment remains. It should be noted that the requested viewpoints are random and are not identified in the DCP as being of important views and also were not considered during the assessment of the Concept DA. Furthermore, as one moves towards the ferry wharf the views to the Cathedral open up due to the relocation of the mass that was obscuring the Cathedral from the front along Queens Wharf

public domain under the Concept DA. The important views that are identified in the DCP are being enhanced under the amended DA.

- **Market Square:** This aspect of the Amended DA, as envisaged from the competition design phase, is a significant improvement to the Concept DA due to opening up a view
- **Grain + Activation:** It is apparent that the Amended DA is consistent and further improvement in utilisation of various grain and activation across Blocks 3 and 4 continuing the connection and principles successfully implemented within Stages 1 and 2 of the NEE development.

In addition to the above considerations, the footprint of both the Concept DA and the proposed amended DA have been overlayed to compare the overcrowding aspects of the development.



Overlay of Concept DA (blue) and Amended DA layout across Blocks 3 and 4 (Source: Urbis Briefing)

It is worth noting that Building 3S has a relatively smaller footprint and as such the building moves more quickly through the sky as one moves around the site. The tapering form of Building 3S continues to diminish as it gets taller to open up the view to the Cathedral more quickly than an otherwise larger/latter block form as it was under the Concept DA. This allows the building mass to shift more quickly across the skyline and minimises the impact on the Cathedral when viewing from a distance.

Although Building 3S is purposefully a tower form, the building incrementally steps back and tapers at each level to allow for unexpected views to the Cathedral and the Park that would otherwise not be evident in the approved Concept DA massing when viewed at a pedestrian scale moving around the site within close proximity.

Another aspect is that the eastern part of the city is built on and into the hill, with existing buildings vary in height, scale and proportion. This forms an undulating urban fabric especially when viewed from a distance across the Harbour.

By adopting a playful skyline, the proposed buildings blend in and are disguised within the pre-existing assembled urban fabric. They are complementary to the cityscape rather than competing with it. The 3S tower adds to the memorable silhouette of Newcastle, although always subservient to the profile of the Cathedral.

The distance between the Cathedral and the closest Buildings 3S and 4S, which are separated by King Street and the Rest Park coupled with the Cathedral being at the south end of the grounds at the top of the hill allows for appropriate buffer zone for the appreciation of the landmark qualities and dominant presentation of the Cathedral across the close public domain and at distant views and vistas.

Based on the above and more detailed responses provided in the Architects' and Urbis documentation, it is considered that the Amended DA is a far more successful response to the constraints of Blocks 3 and 4 of the NEE development, taking advantage of the opportunities offered by the site and its heritage context while applying the heritage design principles in collaboration with 'designing with Country' principles.

CONCLUSION

In conclusion, as evident from the key aspects that have been considered in this addendum to the Heritage Impact Statement (CPH, April 2023) the proposed MOD design including the redistributed scale and mass of the Concept DA envelopes will have marginal change in a positive way. This is because the MOD provides an opportunity for the creation of the 'Harbour to Cathedral' visual corridor and link that was not available in the Concept DA. In fact, the Concept DA was completely blocking the views to the Cathedral from the harbour along Market Street.

The State and local heritage values of the Cathedral as being an extraordinary piece of architecture in a most dramatic setting, providing evidence of the early town planning of Newcastle city centre, and its visual dominance defining its city skyline will be respected and preserved while significantly enhancing its appreciation as a landmark through the 'Harbour to Cathedral' visual corridor. This is also a reflection of the central north-south axis seen in Dangar's 1823 plan.

The marginal obscuration of views and vistas in some viewpoints, which are not necessarily being identified as significant views in the Concept DA or the Newcastle DCP 2023, are considered an acceptable

compromise in relation to heritage matters. The height of the MOD design is an appropriate one in the highly constrained setting of the NEE Stages 3 & 4 for the reasons noted and discussed in this addendum.

I trust the above addendum to the HIS in relation to Clause 5.10(4) of the Newcastle LEP 2012 as requested by the Hunter Central Coast Regional Panel is satisfactory. Should you have any questions or wish to discuss the matter further, please do not hesitate to contact me on 02 8270 3500 / 0414 421 035 or at kerimed@cityplan.com.au.

Yours Sincerely,



Kerime Danis
Director - Heritage

NOTE:

- Please refer to the Urbis VIA for the full scale of the view corridors included in Table 1