

Hamilton South East conservation area: Review of boundaries



Report for Newcastle City Council

February, 1996

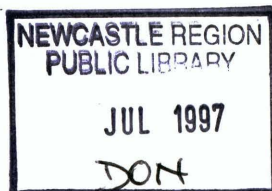
Meredith Walker, Heritage Planning Consultant

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on behalf of

Suters Architects Snell, principal consultants, Newcastle Heritage Study, 1995-96

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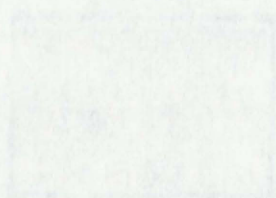
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1.0 Introduction - this report

1.1 Impetus for this report

This report has been prepared in response to a resolution of Newcastle Council:

'Council at its meeting of 19th December 1995 resolved that they urgently approach Meredith Walker to review the recommended boundaries of the conservation area identified in the 1986 Hamilton South/East Conservation study and the recommended boundaries be forwarded to the first possible Council Meeting in 1996 with a view to placing them on public exhibition and incorporating this in an amendment to the LEP.'

(Facsimile Advice from The City of Newcastle (Rachel Kelly, Planning and Development, to Suters Architects Snell, (Ran Boydell co-ordinator) Newcastle City-Wide Heritage Study).

Suters Architects Snell, advised the Council that the review was beyond the agreed scope of the study, and that Meredith Walker¹ (who undertook the study of the area in 1985-6) recommended that, the work comprise the following:

- "1. Review of the area to assess what changes have occurred since the fieldwork was undertaken, and identify any current trends, and take photographs of a sample of houses;
2. Discussion with town planning and building departments about the types of applications and their consideration over the past twelve years. [It would be desirable for Council to make a list of these and a brief description if possible -such as an extract from the application registers.]
3. Discussion with Council town planners about the likely controls, having regard to current concerns, heritage controls in other areas, and the new residential code, etc.;
4. Review of conservation area boundary, together with controls and suggestions about assessing applications and the public exhibition; and preparation in the form of a brief report. "

Towards the end of 1995, number 7 Smith Street, in the Hamilton South-East conservation area, was demolished, and it is understood that concern about the adverse impact on the conservation area was an impetus for the council resolution². Reference to the field work for the 1985 study shows that it was a very intact single storey brick house built in 1930.

1.2 Work undertaken

On Thursday 18th January, Meredith Walker with Ran Boydell (Suters Architects Snell) met with council representatives - Cllrs Keith Parsons and Margaret Henry, and Simon Pocock and Geraldine O'Connor, Planning and Development and John Nelson, Building Department. The meeting included discussion of the previous study, the work to be undertaken, the changes to the area in the last ten years, and the planning and building administration of the area, including dual occupancy.

Following the meeting, Simon Pocock, Town Planner, provided a summary of the provisions that apply to the Hamilton South East area, Appendix A, and

¹ Meredith Walker & Associates, Hamilton South-East conservation study (part of the A. A. Co.'s Garden Suburb, Hamilton, for Newcastle City Council, February, 1986.

² Advice at meeting with council representatives Thursday 18 January, 1996

Geraldine O'Connor supplied copies of the relevant planning documents, and provided advice about Council's consideration of the original report.

Geraldine O'Connor prepared a list of properties the subject of building application is the period 1985-1996.

Fieldwork was undertaken on Thursday 18th and Friday 19th January 1996. This included arranging new copies of the Hunter Water Board detail plans which show houses, held by Hunter Water.

1.3 The Hamilton South-East conservation study

The Hamilton South-East Conservation Study was undertaken in 1985-6. The aim was to investigate the heritage value of an area that had been undetermined in DCP 14, because of concerns raised by residents about the heritage value of the area. The surrounding area was zoned Residential 2 (a).

Hamilton Garden Suburb is one of the major residential areas that in-filled the expanse of mining areas between the 'suburban' village settlements that form the underlying pattern of Newcastle, as an urban area.

The study concluded that the area is significant as an intact brick area of the Hamilton Garden Suburb, which was subdivided and sold by the Australian Agricultural Company who developed the area from the 1910-1930s, after it was no longer needed for mining.

It was recommended that the 'deferred area', and a small area to the north, be an urban conservation area, and that planning provisions be included in the relevant LEP and DCP. Recommendations about promotion and research were included. The recommendations are attached as Appendix B.

1.4 The consideration of the study

The Council placed the report on public exhibition and prepared an illustrated eight-page brochure about the area, with advice about its conservation, based on the study and guidelines for conservation of other areas. Appendix C is the cover of this brochure.

The future of the Hamilton South-East deferral area (and the Merewether deferral area) was considered at a Council meeting in August, 1986. Appendix D is an Extract from council minutes, Item No. 31 - 18th August, 1986.

The outcome was that the deferred area was zoned Residential 2(a); and the conservation area was adopted and included in DCP 14. The recommendations adopted by Council included:

- *The Director of Planning Services prepare detailed heritage conservation guidelines and policies for the inner city, Hamilton South-East, and other areas as appropriate; and*
- *The Hamilton South East Conservation Study was adopted for the purpose of guiding future investigation and action*

1.5 The scope of this 1996 review

This review comprises:

- review of changes to the area over the past ten years, and council administration (section 2 of this report;
- review of Council administration and planning controls of the area (section 3 of this report); and
- review of boundary and recommended controls in the light of changes; (recommendations, 3.2).

2.0 Change in Hamilton South East 1986-1995

2.1 Building applications

The Council staff prepared a list of properties that had been the subject of applications in the period 1985-96, shown in Figure 1, attached. Approximately sixty per cent of properties have been the subject of applications, the majority for alterations and additions, with garages, fences, sheds, pergolas (and other garden structures) and swimming pools. Some applications were prompted by the need for repairs after the earthquake, but most appear to be the result of changes of ownership and the wish for enlarged and more fashionable houses.

2.2 Changes to the external character of houses (intactness)

The original study documented the character of the area, including the extent of brick houses and the intactness of houses. The intactness of each house was assessed - ie. the nature of changes to the house as viewed from the street, using five categories ranging from very intact (few obvious changes) (1) to demolished for a new building (5). In the review, the houses which had been most changed (Categories 4 and 5) were identified by field survey and checked with the list of building applications.

The character of the area remains essentially the same; ie. single storey brick houses developed from 1910-1930s, with a few houses from the 1940s and 50s, a few two storey houses, and a few new houses, mostly in the new Federation style. Low brick fences, built to match the original houses, still predominate, but there are many new fences, often in older styles that the house - eg. ornate Federation picket fences in front of a 1930s bungalow. In general, the changes reflect the current concerns for heritage conservation and imitation of older architectural features, especially Federation, in new work.

Obvious new development includes:

- new fences
- many additions mostly at the rear of houses;
- eight new dwellings and three dual occupancies;
- a few re-skinned brick houses (where the outer wall of cavity brickwork is replaced by new bricks);
- large additions within roofs or as second storeys that are out of scale with the house; and
- a few major two storey additions, eg in Parkway Avenue.

Photos of houses in the conservation area are attached at the end of this report.

2.3 Comparison of intactness 1985-1995

The intactness of the houses in the deferred area in 1985 and January 1996 are:

Intactness categories	1985	January 1996
1, 2, and 3	96.15%	93.81 %
4 + 5 (most altered and demolished)	3.85 %	6.19 %

This is increase of fourteen houses/properties that have been demolished or whose form has been substantially altered.

The categories used to assess intactness are:

Category 1 Few obvious changes - all major elements intact (including building facade, roof form and materials) with minor changes only such as the addition of fly-wire doors or removal of lead lights.

Category 2 Form and character intact but with some changes, notably the enclosure of verandah and porches, removal or replacement of window awnings, or verandah columns, new fences.

Category 3 From intact but with changes to the materials of outer walls, porches and other elements, eg. removal of balustrading to porch, rendering of brickwork, changes to the position and shape of windows and doors, replacement of red roof tiles with tiles of a different texture and colour, and addition of new features, such as aluminium 'lace'.

Category 4 Form changed - major changes to the shape of the buildings included substantial changes to roof form; and erection of an additional storey.

Category 5 Site redeveloped - the original building on the site has been demolished and a new building erected.

The houses in the two sections (blocks) west of Gordon Avenue and North of Learmonth Park, (bounded by Dumaresq, Lawson Streets and Alexander Streets and Gordon Avenue) and developed 1914-18 are the most altered. The larger blocks facing Gordon Avenue, retain their original brick houses relatively intact; but the facades of many houses in smaller lots (in Dumaresq, Kemp and Alexander Streets) are substantially altered, and the overall character is that of altered houses. It is therefore recommended that, with the exception of the lots facing Gordon Avenue, these sections/blocks be excluded from the heritage area.

2.4 Changes to roads and other public areas

The most obvious change to the public areas has been for traffic management and local amenity. The streets crossing Stewart Avenue and Gordon Avenue have been closed to vehicular traffic using paving and planting; and many large roundabouts have been erected, eg in National Park Street. [Care with the design of road traffic management features was an objective 3 in the recommended conservation policy for the Hamilton Garden suburb (p 58). See Appendix B.]

It should be noted that one of the early promotional drawings of Hamilton Garden suburb showed small roundabouts at road intersections. These areas, in which a large tree could be planted, were a common feature of 'Garden suburbs' plans both as traffic management and as landscaping.

The school in Kemp Street has been closed and the area originally occupied by five houses is now a large medium density town house development. The row of palms in the median strip has fortunately been retained.

The Church and Hall in Stewart Avenue have been demolished and the land is now vacant.

The construction of the freeway to Wallsend has removed much of the through traffic from Stewart and Gordon Avenues, with a substantial reduction in traffic noise and commensurate improvement in local amenity.

2.5 Changes in nearby areas

The Hamilton South East area is part of a large area gradually developed for houses by the AA company in the first half of the twentieth century. In general, the land to the west of Hamilton south east has smaller lots (and smaller houses), than the Garden Suburb, and the land east of Darby Street (former Sea Pit and F Pit) has steeper land, larger lots and larger houses.

The area immediately adjoining the original study area, including Kenrick, Stanley, Turnbull and Cram Streets was developed in the 1920s and 1930s. The houses are predominantly timber bungalows. Inspection of this area shows that the houses are very intact. Changes over the past decade have been similar, but less common, than in the area to the north.

The area identified for the original study was identified as a response to comments on DCP 14. The focus was on the brick areas. The majority of houses to the south are timber weatherboard construction. Timber houses have often been considered less favourably than brick houses; but in the past ten years it is clear that many of the owners appreciate timber houses and have actively conserved rather than changed their character.

3.0 Hamilton South-East and management of its heritage and character

3.1 The affect of changes on the heritage value of Hamilton Garden suburb

The Hamilton South East area retains the same basic character it had in 1985 and is significant for the same reasons. The 1986 statement of significance is in Appendix D.

The changes to houses have reduced the intactness but the overall character remains the same, as new development has generally been in scale with the single storey character of the area³. In general, the new houses are similar in scale, height and siting, when viewed from the street, as the houses they replaced; and without detailed information, it is difficult to see why the original houses could not have been substantially kept (with additions at the rear) especially if the development was speculative, rather than for an owner occupant. Also, demolition was not in accord with the intentions of the provisions for the conservation area.

Whilst new buildings remain only a small percentage of the total housing stock, and there are relatively few major changes to the external character of houses, the character of the Hamilton Garden Suburb will be retained, and it will retain its heritage and character value. Great care is needed with the scale and design of alterations and additions which affect the roof form, so that the original scale and character of houses is respected.

3.2 Planning provisions and Hamilton South-East

The area was not included in the list of conservation areas in LEP No. 1987⁴. and, when DCP 14 was superseded by the Lower Hunter Housing Development Control Plan, the conservation area was no longer formally recognised in the planning controls. [This appears to have been an oversight, rather than a deliberate change of policy by council or staff.]

In addition, the Single Dwelling and Dual Occupancy code (DCP 29) included advice about compatibility with neighbourhood character and preservation of landscape character, which is not as clear (or as suitable for Hamilton South-East) as the Lower Hunter Housing DCP.

Development which involves the demolition of houses, or substantially changes the form and character of a house, should be discouraged or prevented through the administration of planning controls and educational material. Demolition control is vital.

In general there are two options for the control of demolition:

- amending Newcastle LEP 1987 to include the Hamilton South-East conservation area in the schedule of conservation areas; or

³ This may be in part due to the advice of Council staff and the recognition within the community that the area is old and valuable.

⁴ The conservation area recommended for Minmi and the area in Wallsend listed by the National Trust were not included in Schedule 5, LEP 1987

- using the provisions of the Local Government Act which allow the control of demolition for heritage (as well as for safety). This will involve amendment to council's local approvals policy.

The provisions in Part 4 of LEP 87 are suitable as the basis for the control of development in the conservation area. To assist owners in the application of the provisions, it is desirable to prepare a DCP that applies to the area and recognises its twentieth century character, which is different from other conservation areas in Newcastle, such as Cooks Hill. Another option is a comprehensive review of the Lower Hunter Urban housing DCP.

3.3 Boundaries of the Hamilton South -East conservation area

The boundaries of the Hamilton south East conservation area have been reviewed as a result of the field work. The boundary is essential the same with the exception that the western boundary includes only the properties facing Gordon Avenue and excludes the remainder of the sections bounded by Dumaresq, Lawson and Alexander Streets, because few houses in these areas are in Categories 1 and 2 intactness.

The recommended boundary for the conservation area is shown in Figure 2, and also the area for further investigation. Such investigation is time consuming and is not considered practicable in the time frame of council's resolution.

4.0 Summary and Recommendations

4.1 Summary

The Hamilton South-East area has the same basic character as it had ten years ago when the original study was exhibited for public comment.

[what happened then?]

The majority of changes have respected and conserved the character of the houses, a small number of houses have been demolished or their form substantially altered, but the percentage of such properties is very small. The area is outstanding for its heritage value as the Hamilton Garden Suburb and as an area which represents the suburban development in Newcastle from 1914 to the 1930s.

The area was recognised as a conservation area through DCP 14, until it was superseded by the new comprehensive LEP in 1987, when it was not included in the schedule of conservation areas. As a result, formal heritage conservation controls have not operated since 1987, and since then several houses have been demolished. The single dwelling and dual occupancy code (DCP 29 adopted in December 1993) provided sound guidance about streetscape matters which may have assisted the conservation of the area, but in April 1995 this was superseded by the Lower Hunter Urban Housing DCP, which is not as comprehensive in relation to such matters and provides little useful guidance about heritage matters. Whilst the concept (and achievement) of a single DCP about Urban Housing applying to several local government areas should be commended, the present document does not recognise or reflect the distinctive character and house styles of the lower Hunter nor the many areas in the Lower Hunter that have been recognised as worthy of conservation. Any review of this document should address these matters.

To retain the character of the area it is vital to retain the original houses especially those whose form has not been substantially altered, for example by the addition of a very substantial second storey. This can be achieved through the control of demolition, preferably through the re-establishment of the conservation area (an LEP to add it to the schedule in LEP 1987); through amendments to the Lower Hunter Urban Housing DCP, or through Council's Local Approvals Policy, under the Local Government Act. In the meantime, the conservation of the area can be encouraged, and advice provided, through preparation and publication of a brochure explaining the history and significance of the area and its houses and the approach to their conservation

4.2 Recommendations

It is recommended that:

1 Recognition of heritage value

The Hamilton South East Area, as shown on the attached plan, be recognised as an urban area of heritage value and worthy of conservation;

2 Public exhibition

That the original study (Hamilton South-East Conservation Study, 1986) and this review, together with a new summary brochure, be exhibited for public comment and that the residents be advised of the exhibition;

3 Brochure

That the brochure include the following:

- a brief history of its development
- statement of significance, with illustrations
- a map of the area
- advice about the controls in LEP 1987
- advice about the major concerns, ie retention of houses and townscape character.

The brochure should be prepared in draft form for the public exhibition so that the implications of the conservation area (and the security it provides) are clear and there is the opportunity for public comment.

[NB. The advice about heritage conservation in the original brochure is no longer appropriate. Advice about heritage conservation should be written specifically for the area rather than an adaptation of advice for another area.]

4 Investigation of nearby areas

That the area to the south (shown in Figure 2), including Kenrick, Stanley, Turnbull and Cram Streets, which was part of the Garden suburb be investigated for its history, built character and intactness, and its heritage significance assessed, using the same methods as for Hamilton south East.

5 Heritage conservation

That the following measures be considered to provide statutory protection and encouragement for conservation:

5.1 The Hamilton South East be included in Schedule 5 Heritage Conservation Area to LEP 1987, through a new LEP;

5.2 The detailed advice that is needed to guide conservation and development be the subject of a new DCP; and that

5.3 The Lower Hunter Urban Housing DCP be amended to recognise the distinctive character of housing and house styles in the Lower Hunter.

6 A. A. Company demonstration houses

That the four houses built by the AA Company, to demonstrate the standard of houses desired in the garden suburb, be included in the schedule of heritage items in LEP 1987. These houses are in Gordon Avenue, numbers 141 and 154, at the opposite corners of Glebe Road, at the entrance to the estate; and numbers 67, at the south east corner of Kemp Street and 73 at the north east corner of Alexander Street.

7 Research

That further research about the history of the development of Hamilton South-East and other A. A. Company lands be encouraged, especially, the design and construction of houses, using the information in the Hunter Water records.

8 Street tree planting

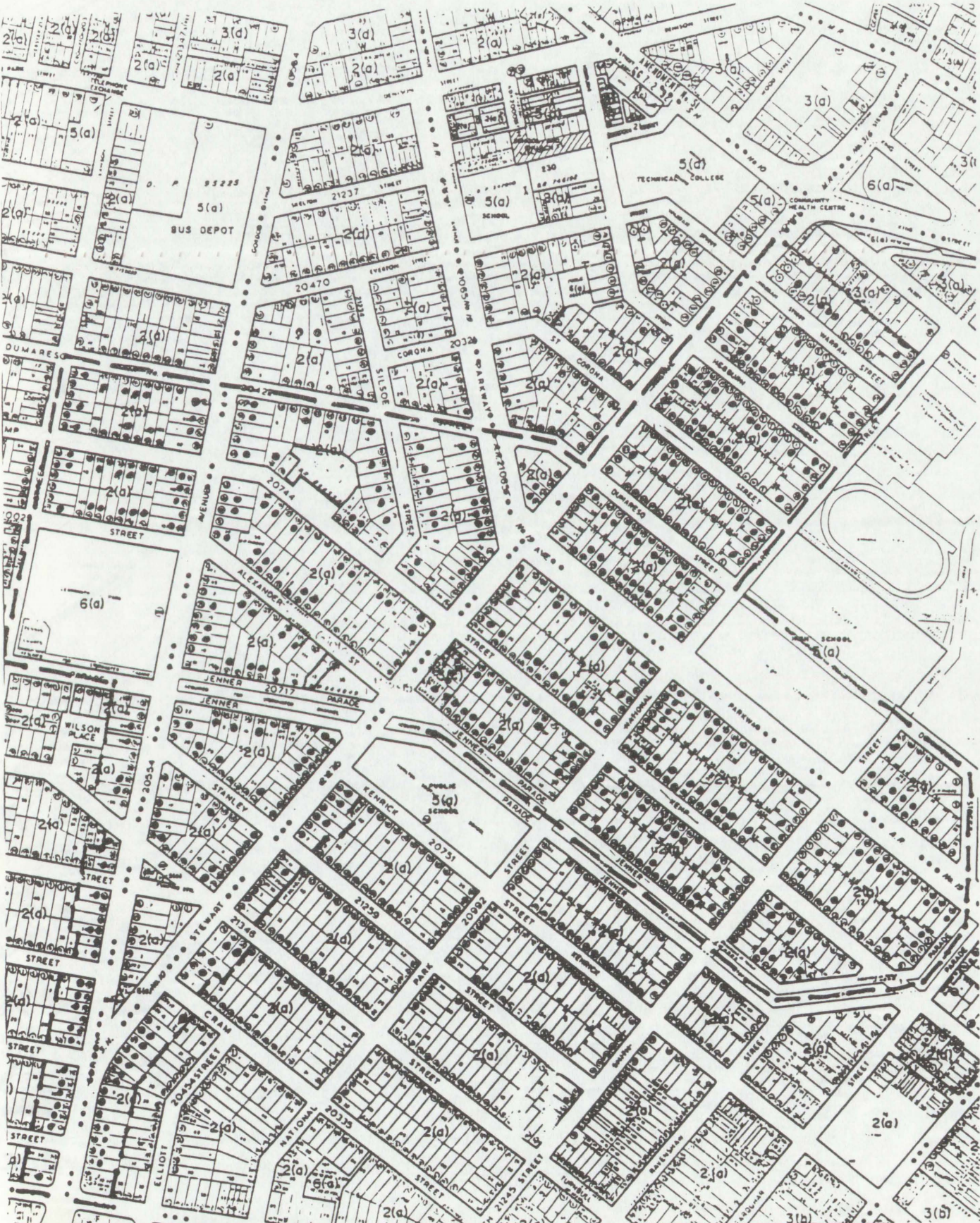
That, in the light of reduced traffic in Gordon and Stewart Avenues, Council investigate the opportunities for further street tree planting in the character initially envisaged in the design of the Garden suburb - ie trees not shrubs.

9 Public seminar

That council consider holding a public meeting in conjunction with the exhibition (Recommendation 2) so that the history and significance of the area can be presented and so that the Council can hear the views of the residents; and that a draft of the brochure be prepared beforehand.

Figure 1 Building applications in the Hamilton South East deferral area, 1985-1996 inclusive.

NB. This does not include the whole of the conservation area.





Photographs of the Hamilton South-East conservation area

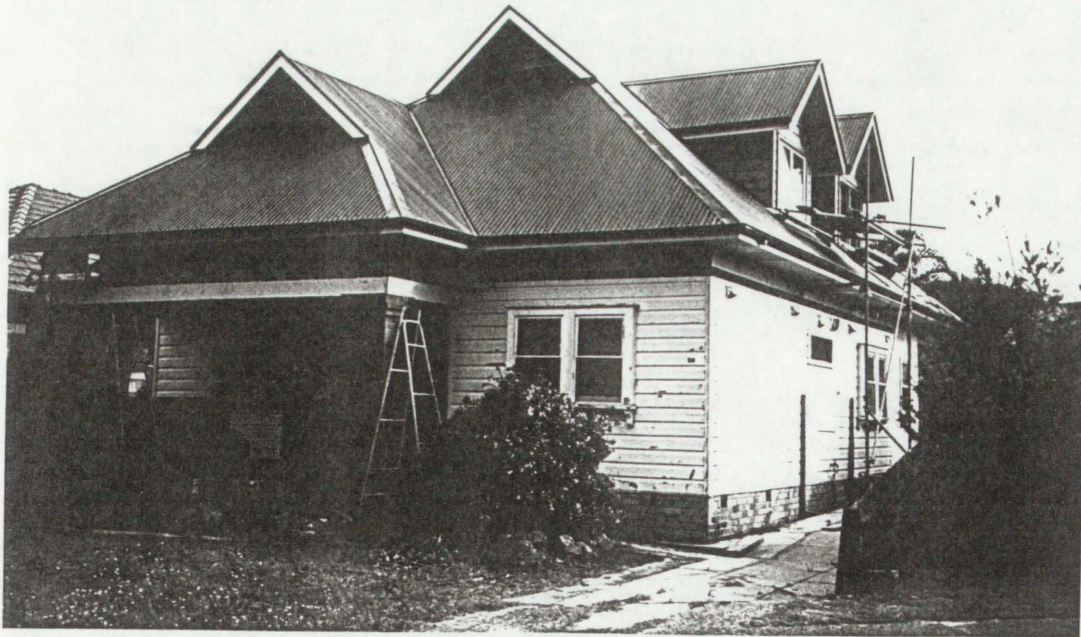
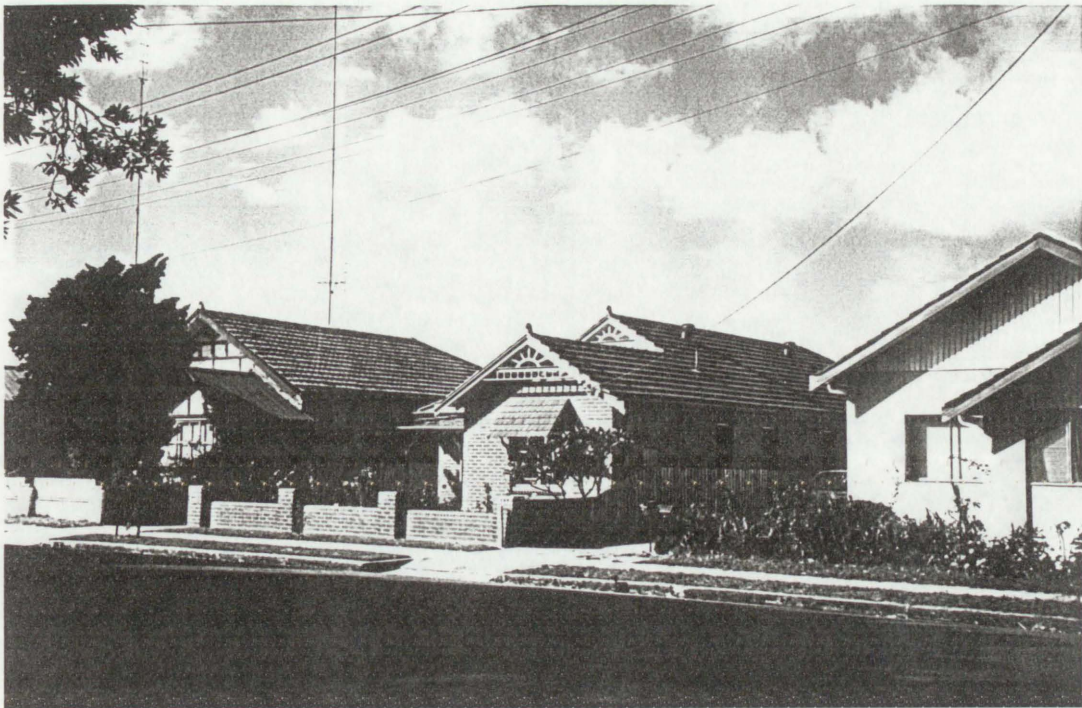
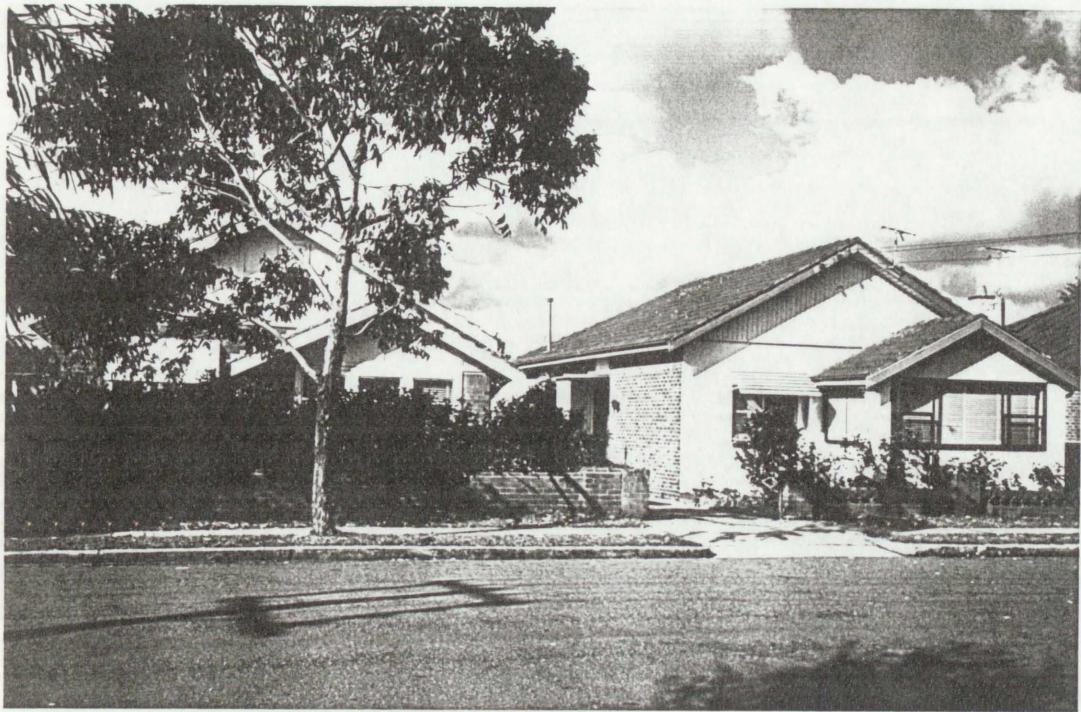


Figure 2. Estimated hazard function for the time to death from cause-specific mortality.



Figure 2. Estimated hazard function for the time to death from cause-specific mortality.





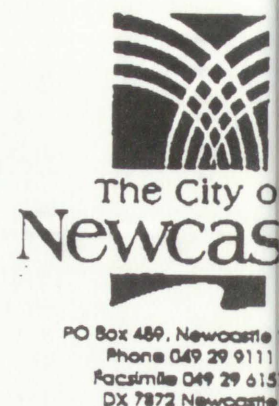
Appendices

Appendix A - Letter from Simon Pocock, Planning and Development Division, Newcastle City Council to Meredith Walker and Randal Boydell, 19 January, 1996, c/- Suters Architects Snell, "Planning & Building Administration of applications within Hamilton South-East conservation study"

PLANNING & DEVELOPMENT.S POCOCK:HU
Phone 289 221

19 January 1996

Meredith Walker & Randall Boydell
C/- Suters Architects Snell
PO Box 1109
NEWCASTLE NSW 2300



Dear Sir/Madam

**PLANNING & BUILDING ADMINISTRATION OF APPLICATIONS WITHIN
HAMILTON SOUTH-EAST CONSERVATION STUDY**

The following comments in respect of the above matter are provided further to the meeting held in the 6th floor conference room of Newcastle City Council on 18 January 1996.

PLANNING ADMINISTRATION

- Single Dwelling and Dual Occupancy Code - Development Control Plan No 29. Adopted by Council on 14 December 1993. Code sets out various design principles and guidelines that will be considered in assessment of development and building applications. Clause 1.5 refers to heritage protection but no specific guidelines are outlined. Dual occupancy component of code repealed by adoption of Lower Hunter Urban Housing Development Control Plan.
- Dwelling Density and Development Code - Development Control Plan No 14. Adopted by Council August 1986. Clause 2.3.4 requires Council to have regard to any relevant conservation plan adopted by Council. In this regard the recommendations contained within the Hamilton-South-East Conservation Study were taken into consideration in the assessment of any Development Applications for the area.
- Lower Hunter Urban Housing Development Control Plan adopted by Council April 1985. Development Control Plan 14 repealed. Code sets out various performance criteria that are to be considered in designing development proposals. Dual occupancies now assessed under this code. Clause 4.5 deals with heritage considerations but only in general terms.

Cont/2

Meredith Walker/Ron Bevdell

Page 2

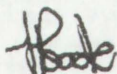
- Newcastle Local Environmental Plan, 1987: Clauses 27-36 detail statutory provisions for heritage conservation. Hamilton South-East Conservation Study area excluded from the provisions as it is not defined as 'Heritage Conservation Area' under Clause 27.

BUILDING ADMINISTRATION

- Local Government Act, 1919 Clause 313 details various design elements Council must consider in assessing building applications (ie bulk, scale character). No specific provisions in respect of heritage.
- Single Dwelling and Dual Occupancy Code - Development Control Plan No 29. Code relevant in respect of single dwellings only. Comments as above applicable.
- Local Government Act 1993: Local Approvals Policy Paper No 3 - Activities for which approval is not required adopted by Council 1995. See comments regarding fencing (page 4). Prior to adoption of policy practice has generally been to require Building Application for any fence over 1.0 metres in height.

I trust the above comments are of assistance however should you require any clarification please contact me on 299221.

Yours faithfully



Simon Pocock
TOWN PLANNER

Appendix B - Recommendations from *Hamilton South-East conservation study, report for the Newcastle City Council, February, 1986.*

of project likely to qualify for funds from the Australian Heritage Grants Program administered by the Australian Heritage Commission (these grants are separate from the National Estate Program).

In summary, the making of a further Urban conservation area in Newcastle at this time has two major disadvantages which together outweigh the advantages.

Accordingly, a staged procedure is recommended whereby action is taken to minimize likely problems before the area is designated a conservation area (6.5).

6.3 DRAFT STATEMENT OF CONSERVATION POLICY

Having regard to the matters discussed in 6.2, a draft statement of conservation policy has been prepared.

Draft General Policy Statement:

The Newcastle City Council recognises the environmental heritage significance of that portion of the Garden Suburb, Hamilton as described in the statement of significance and plan attached (i.e., 5.2.1 - 5.2.4 and Illus.15) and has adopted the following objectives:

Objective 1: to encourage the retention and conservation of the features and fabric of significance identified in the attached plan:

- a) by providing information about the history of the Garden Suburb and its significance for residents and other interested people;
- b) by preparing guidelines for the control of demolition and development (see 6.4);
- c) by providing technical advice to owners about changes to their property;
- d) by nominating the four dwellings constructed by the AA Co for the Register of the National Estate; and requesting the Heritage Council of NSW to make Section 130 orders under the NSW Heritage Act (i.e., the same protection that has been given to most of the buildings of heritage significance in central Newcastle).

Objective 2: to encourage the retention of the pattern of land use in the area

- a) by the zoning controls generally; and
- b) by the application of the Dwelling Density and Development Code DCP No.14.

Objective 3: **to retain and enhance the pattern and character of the streets**

- a) by careful design and location of any road traffic management controls that might be considered necessary in the future;
- b) by encouraging the retention and care of grass verges, particularly the strips immediately alongside the front property boundaries;
- c) by examining the possible reconstruction of medians in Stewart Street, and other landscape features.

Objective 4: **to retain and enhance the local open space**

- a) by preparing plans of management for Leamonth Park and the small incidental areas of open space; and
- b) by involving local residents in preparation of these plans.

Objective 5: **to encourage the research of documentary evidence about the Garden Suburb**

- a) by engaging an historian/planner to further investigate the source material and provide specialist advice and direction about further study;
- b) by providing financial assistance to local researchers interested in undertaking such research including oral history of residents and others.

Objective 6: **to encourage interest in the Garden Suburb, and other areas of Newcastle**

- a) by holding a half-day workshop about the Garden Suburb involving residents, local historians, architects and Council staff and aldermen;
- b) by undertaking a brief study of the principal subdivisions which make up the urban fabric of Newcastle and publishing the material prepared (6.2.6);
- c) by identifying other areas of likely significance in Newcastle (in accord with the S.117(2) direction);
- d) by involving residents of the Garden Suburb and other interested persons in the above processes; and by applying for funds from Heritage Conservation organisations, particularly the Heritage Council of NSW and the Australian Heritage Commission;

- e) by republishing the subdivision brochure and sale litho.

Whilst these objectives and actions are within the scope of the Council's responsibilities, consideration could be given to seeking financial support from other organisations, such as the Australian Heritage Commission and the Heritage Council of NSW, but none of these actions should be considered as being dependent upon outside funding.

6.4 GUIDELINES FOR THE CONTROL OF DEVELOPMENT IN THE AREA OF SIGNIFICANCE

It is anticipated that an integrated set of guidelines or controls relating to heritage conservation within the Whole of the City of Newcastle will be developed for all areas of significance as soon as practicable. The draft 'Consolidation' Local Environmental Plan currently being finalised by the Planning Department makes provision for the conservation of items of the Environmental heritage.

Having regard to the character of the area and the issues raised in 6.2, the principal components of any supplementary controls or guidelines should be:

i) Control of demolition

- . an affirmation of the value of the majority of the existing buildings and the need to conserve them; and
- . confirmation that consent will be required prior to demolition of part or whole of any building in the area (designation of the area as a conservation area with demolition controls would achieve this objective).

ii) Control of Development including changes to existing dwellings, including maintenance, alterations, additions and conversions to flats:

- . The matters which require particular attention include the retention in form and materials, of roofs, verandahs/porches, openings to street facade and the front portion of side walls; retention of low front fences, and major elements of garden form in the area between the front boundary and the front facade of the building.
- . Major changes to the exterior finish of outer walls - such as painting brickwork, or recladding weatherboards should be strenuously discouraged.
- . Rooms may be accommodated in roofspaces provided the windows do not face the street and do not project in such a way that they dominate the roof form.

Changes to existing buildings should comply with the following:

- . the facade should remain intact, with the exception that the balcony/porch may be enclosed provided that glass is the principal material with mullions and transoms minimized;
- . additions to be at the rear only, in single storey construction with the material of outer walls similar in character, form, colour and texture to that in the existing building; the roof form should be compatible with the form of the roof of the existing building;
- . no new construction in the front setback, except for light frame carports plus driveways, footpaths and fences.

iii) Guidelines for new Development (on sites listed in Appendix D):

- . new development to be restricted to single storey construction, with a limited amount of accommodation within the roof space;
- . the portion of any new building nearest the street, to address the street and be similar in form, scale, use of materials and presence major features to other buildings in the area, but not necessarily imitative of the details in such buildings;
- . front fences to be low brick fences, similar in height to those in the near vicinity and/or designed to match the new building;
- . the setback from the front boundary to be landscaped, with the exception of the vehicular entrance and driveway.

The detail in the notes above was limited by the resources available to this study. However, the principal characteristics of buildings in the area are relatively easily perceived - and much more uniform than are the buildings in the urban conservation areas of Inner Newcastle. The experience of the City Planning Department should be adequate for the task of conserving the major aspects of the area, but having regard to its current commitments it may be preferable to engage a local architect to provide advice on a regular basis.

6.5 IMPLEMENTING THE DRAFT CONSERVATION POLICY

To implement the Draft Conservation Policy in 6.3, it is recommended that the following strategy and sequence of action be adopted:

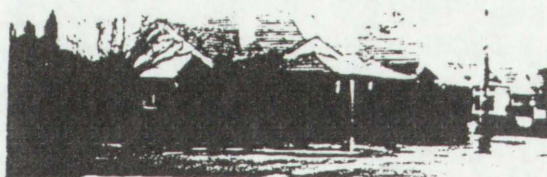
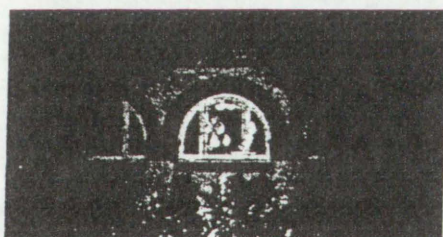
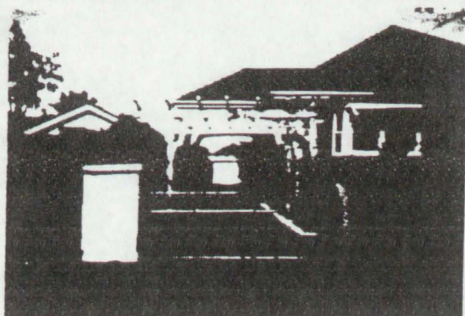
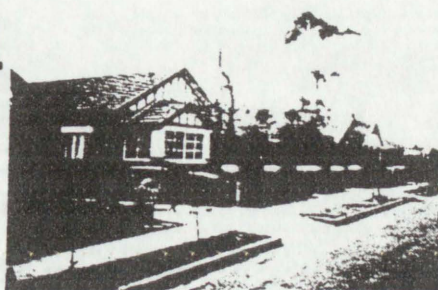
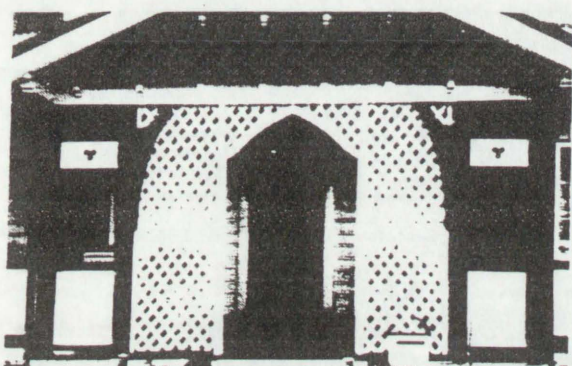
- 1 Include the Deferral Area in DCP No.14 subject to the provisions that apply to other parts of the Residential A precinct. It being noted that section 2.3.2 of DCP No.14 requires adherence

to the design guidelines for medium density housing as expressed in Technical Bulletin No.16 (prepared by the Department of Environment and Planning.)

- 2 Implement the policy actions in 6.3.6 including the publication of public education material, the half-day workshop, and action to facilitate the identification of other areas of heritage significance in Newcastle;
- 3 Commission and support research about the Garden Suburb, as outlined in Objective 5;
- 4 When further information is available about other areas of likely significance (item 2 above and Objectives 6b and 6c), discuss the implications of conservation area status (particularly controls on dwellings and alterations to them) and consider alternative means of achieving conservation - such as increased public education and modifications to DCP No.14;
- 5 Prepare draft guidelines for the control of development (based on notes in 6.4 and outcome of 4 above);
- 6 Adopt final controls and guidelines;
- 7 Implement other policies as appropriate, such as the reconstruction of a median in Stewart Avenue and other landscaping measures.

Appendix C - Cover page of Council brochure about Hamilton South East conservation study

Hamilton South East Conservation Study



This pamphlet is designed to provide advice and guidance on conservation and development matters in Hamilton South/East, Newcastle, New South Wales. It illustrates a number of points which need to be considered in modifying existing historic buildings and in proposing new development.

These rehabilitation and sympathetic development guidelines include information on building siting, scale and form, the use of materials and external colours, together with streetscape elements and landscaping.

This material is based on the Hamilton South/East Conservation Study carried out for Newcastle City Council by Meredith Walker, consultant town planner.

Appendix D - Extract from Council minutes, Item No. 31 - 18th August, 1986.

Matters Relating to Planning Services (Cont'd).

PAGE

ITEM NO. 31 - 18th August 1986.

The Board has initiated a watermain renewal program for the Merewether area which will involve replacing all 80mm and 100mm mains with 150mm mains. A total of 9.8 kilometres of main will be replaced under this program, with priority of work dependent on the condition of the existing watermain and the rate of flat development in a particular street. The replacement program commenced in 1985-86, with 913 metres of 100mm watermain replaced in 150mm in Berner Street. The Board has presently allocated funds on an annual basis but this will be subject to review dependent on the rate of flat development and the availability of funds, some of which are obtained from medium density development through Council's conditions under the Environmental Planning and Assessment Act. It is essential that this process continues.

The Capital Works Program includes some trunk main amplification from Glebe along Llewellyn and Merewether Streets to improve supply to that area. The work is currently planned for 1988-89, but could be postponed if demand does not warrant its construction.

Sewerage System

Sewer mains in the Merewether area are sometimes subject to surcharge after intense rainfall. Much of the problem is caused by infiltration through defective house connections and the Board does not consider that medium density development in the Merewether area will exacerbate existing wet weather surcharge problems. Rather, it feels that redevelopment, in concert with amplification works planned for construction in 1990, will help to overcome sewerage surcharge problems in Merewether.

The system performs adequately under normal conditions.

Stormwater Drainage

Medium Density development in Merewether is likely to have a serious effect on the drainage system in that area.

Many of the Board's stormwater channels in the Merewether area experience flooding after prolonged rainfall. The rate of rainfall runoff from medium density development should not be allowed to increase beyond its present level to avoid an increase in present flooding frequency.

The scale of medium density development proposed under the amendments to the Code the Merewether deferral area is such that the Board's systems will cope as well as not better than, at present. Further the opportunities for the renewal of down connections to the Board's mains and the additional funding made available through contributions by developers for system augmentation will have a beneficial impact on the area's services.

The amendments to the Code propose limiting stormwater discharge from redevelopment sites to that which would result from the equivalent grassed vacant allotment of capacity of the regional stormwater system, whichever is the lesser, thus more meeting the standards set out in the last sentence quoted from the Board's reply.

In relation to issues (5)-(7) raised in Merewether submissions, these are problems which have arisen in the past under less stringent Flat Codes or generally relating to higher density redevelopment than that permissible under the "A" density precinct in the Code. The issues have been previously discussed at very great length and Council then resolved to adopt Development Control Plan No. 14 on the grounds that this ensured that these problems will not in future, be of significance.

HAMILTON SOUTH/EAST DEFERRAL AREA.

The Hamilton South/East Conservation Study identified no major problem incorporating the locality within the provisions of the Code as an "A" Density precinct providing certain measures were taken. These measures were outlined in the previous report (appended).

It is considered that incorporation of the locality as an urban conservation area within the Code will achieve many of the objectives of the Hamilton East Residential

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Matters Relating to Planning Services (Cont'd).

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Group quoted earlier whilst providing sufficient flexibility to allay the fears of the Hamilton Community Progress Association.

The condition of housing within the locality is such that there is unlikely to be more than a small number of redevelopment proposals or medium density conversions in the near future. The "Consolidation" Newcastle Local Environmental Plan, when gazetted, will provide for control over demolition within residential areas. The major threat to the heritage value of the estate comes from indiscriminant building alterations of an unsympathetic nature. Community education and the development of conservation guidelines for not only this area but also the inner city, generally are the most effective means of "controlling" such indiscriminant unsympathetic change. The provision of technical advice to owners and the provision of specialist architectural advice through Council, as occurs in some other areas such as Maitland, has merit and warrants further investigation.

Community consultation during compilation of the Study was limited by available funds and by implication, time. The matter of heritage conservation controls has been actively debated in Newcastle generally for some time, particularly in relation to Newcastle East, the Hill and Cooks Hill. It is considered that the relatively positive reaction received by Council to the 1200 leaflets, delivered to households in the Hamilton South/East Study Area, which outlined heritage guidelines, indicates a general acceptance of the value of, and need for, some form of heritage conservation.

The inclusion of heritage conservation areas within the provisions of the Code will not subvert the objects of the Code, as queried by the Hamilton Community Progress Association. Such inclusions strengthen the Code as a document which permits a scattered development of medium density dwellings throughout the City whilst recognising local constraints as they occur so as to ensure sympathetic redevelopment.

CONCLUSION.

The exhibited amendments to Development Control Plan No. 14 - Dwelling Density and Development Code, provide a practical resolution of the issues which led to the imposition of the deferral areas in 1984.

However, for both deferral areas, the amendments to the Code do not provide a complete resolution. Other action is required.

In the case of Merewether, and any other critical catchments within the City, the development of an overall catchment management policy is being developed by the Hunter District Water Board and Council. Additionally, Council is considering the imposition of drainage and run-off controls over all forms of development within critical catchments.

The development of overall Council policy, enshrined in Conservation Guidelines for areas such as the Inner City and Hamilton South/East, will provide a complement to the controls available in the Code in respect of other forms of development, particularly those requiring only building consent.

The availability of specialist architectural heritage advice is important in assisting the community to apply any heritage conservation guidelines to their own activities but the cost of such a service must be considered in respect to other needs for Newcastle.

RECOMMENDATIONS.

1. The amendment to the Dwelling Density and Development Code (Development Control Plan No. 14) be adopted as exhibited.
2. The Director of Planning Services prepare detailed heritage conservation guidelines and policies for the Inner City, Hamilton South/East and other areas as appropriate.
3. The Director of Planning Services investigate the provision of specialist heritage architectural services by Council to assist in residents' consultation and in the assessment of development applications and reports on the desirable breadth of such services as well as available funding opportunities.
4. The Hamilton South/East Conservation Study be adopted for the purposes of guiding future investigation and action.
5. The Hunter District Water Board be urged to apply a high priority to its planned sewerage amplification works for the Merewether area with the goal of alleviating acknowledged instances of surcharging during intense rainfall.

previous report appended.

TOWN CLERK

ADMINISTRATOR

Appendix E - Statement of Cultural Significance, Hamilton South-East Conservation Study, section 5.2

5.0 CULTURAL SIGNIFICANCE

5.1 THE CONCEPT OF CULTURAL SIGNIFICANCE

Cultural Significance means aesthetic, historic, social and scientific value for past, present and future generations (7).

The concept of cultural significance helps in identifying the value of a place, beyond its utilitarian value.

The Burra Charter definition, used in this analysis, encompasses the cultural values included in the definition of environmental heritage in the Heritage Act, 1977 (as amended), namely, historic, cultural, social, archaeological, architectural, or aesthetic values.

A **statement of cultural significance** provides a basis for decisions about the future of a place. The overall objective in conserving a place of significance is to retain all the aspects of significance, and all the fabric (characteristics) which contribute to that significance.

5.2 STATEMENT OF CULTURAL SIGNIFICANCE

The Garden Suburb Hamilton is outstanding amongst Newcastle's suburbs for its cultural significance and particularly for its evidence of early twentieth century town planning and development practice in Australia; for its evidence of the growth of Newcastle and its character and diversification following the establishment of the BHP steel smelter in 1915; and for its contribution to the present day townscape.

5.2.1 Historical Value

The Garden Suburb is of historical value:

- a) as a major part of the A.A. Co's Newcastle grant for coal mining, and its use as such spawned some of the adjacent older settlements including Cooks Hill and Hamilton;
- b) as evidence of the transmission of major town planning concepts from the UK to Australia, and their adaptation to the circumstances and standards in Newcastle;
- c) as evidence of the major growth and diversification of employment in Newcastle engendered by the establishment of the BHP Steelworks, and the consequent development of a higher standard of housing;

7 Australia ICOMOS, Charter for the Conservation of Places of Cultural Significance (The Burra Charter).

- d) as the major part of a major land drainage and subdivision project which (together with Bar Beach Subdivisions) virtually completed the urban development of inner Newcastle;
- e) for its evidence of the contribution of A.A. Company to the development of Newcastle, particularly in relation to open space facilities, via the donation (but not development) of Learmonth Park and the National Park; the creation - in the form of Parkway Avenue - of a major new access to the southern Beaches, and the creation of a major new access (Stewart Avenue) to the city;
- f) for its evidence of standards and achievements in suburban house and building construction particularly in the period between the Wars;
- g) as the most homogeneous areas of late Federation housing (1914-28), and between the Wars housing erected in predominantly brick construction in Newcastle.

5.2.2 Aesthetic Value

The Garden Suburb is of aesthetic value:

- a) for its major avenues, Gordon Avenue, Stewart Avenue and Parkway Avenue, and their associated landscaping and their contribution to the character of Newcastle, and particularly the approach to the city centre from the south;
- b) for its continuity in layout and for the homogeneity of its housing - in design, in form and in the use of materials;

5.2.3 Social Value

The Garden Suburb is of social value for its real and potential educational value as a place from which major aspects of the history of its citizens can be explained in a tangible way.

5.2.4 Scientific Value

The Garden Suburb is of scientific value because its relatively unchanged character, combined with the wealth of records - in Newcastle and the ANU Archives and the recollections of residents and others - provide outstanding opportunities for the study of a suburb in a major Australian provincial city.

5.3 AREAS OF SIGNIFICANCE, BUILDINGS AND OTHER FABRIC OF SIGNIFICANCE

The AA Co's Garden Suburb, Hamilton can be divided into two parts according to the nature of their significance.

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