



Hunter Regional Committee

Chairperson, Keith Parsons
GPO Box 2151, DANGAR, NSW, 2309

19 April 2013

Dear Sir,

SUBJECT: Newcastle Urban Renewal Strategy 2012 (NURS).

The Hunter Regional Committee of the National Trust of Australia (NSW) welcomes urban renewal of the City of Newcastle and opportunities that see it revitalised. We understand that there is a need for a strategy that sustains population growth. The renewal strategy states upfront the State Government's decision to cut rail services between Newcastle and Wickham, however, this is somewhat confusing because many of the 'guiding principles' mentioned actually support the retention of rail transport infrastructure. There is no rationale given in the strategy for cutting the rail, nor is a transport study provided to explain how the decision was made (using proper planning and transport principles). For this reason we do not believe that this strategy is holistic in its approach, and requires further reviewing after an Environmental Impact Statement is undertaken.

The Hunter Regional Committee of the National Trust of Australia (NSW) would like to comment on the above draft strategy:

Closure of the CBD rail line between Wickham and Newcastle.

We note that this decision was made without consultation or a period of public exhibition for comment. We further note that there has been no professional report on the transport economic and planning implications of the decision. The only reason given for the decision by Planning Minister Hazzard was to achieve "certainty". The strategy is predicated on the assumption that urban renewal can only take place if the rail line is removed. However, neither the strategy or the Minister offers evidence to justify this claim.

The Trust supports the retention of the rail line to Newcastle Station on heritage grounds. Consequently we are opposed to both its closure and the manner in which the decision was made.

- The line has been part of the CBD planning grid since 1858, almost from the beginnings of railways in Australia. The line marks the beginning of the Great Northern Railway, which has been accorded the status of a "National Engineering Landmark" for its engineering heritage significance by the Institution of Engineers, Australia.
- Two of the three stations along the corridor, Civic (1937) and Newcastle (1858, the existing buildings date from 1874) are classified by the National Trust. They are both working stations. Newcastle is one of the state's grand Victorian era stations. Its significance does not lie just with its Scott St main building but the other infrastructure as well (e.g., its 4 platforms, 1890s platform shelter, permanent way and the former retort building. It would be difficult to adaptively recycle the building without losing the fabric (e.g., platforms) that supports its *raison d'être*.
- There is nothing in the NURS report to indicate the fate of either Civic or Newcastle Station if the line is closed. The rail line is unzoned and there are no proposed development standards for height or FSR nor any proposal for future use.

- There are alternatives to closure. The main argument traditionally used to justify closure is to improve connectivity between CBD and foreshore, including Honeysuckle. This can be achieved with the construction of new, at-grade crossings for pedestrians and/or vehicles. Obvious possibilities for this exist at the former Market St crossing site and at Worth Place where infrastructure already exists. It would also be possible to improve the corridor's aesthetics by landscaping and the use of new, more streamlined rail infrastructure (e.g., stanchions such as those on the Eastern suburbs, Sydney line).
- The Trust would support light rail as an alternative or a combination of heavy and light rail. However, all studies on this option to date have concluded that it is not economically feasible, given population density implications. Further the State Government has not indicated whether it would support light rail in the foreseeable future.

The NURS document:

Maximum height and FSR:

- While there have been some reductions in building height and FSR, the overwhelming majority of changes to LEP development standards have been to increase heights and FSRs. These appear to have been made in the interest of maximising development potential rather than sound urban design principles. In particular, we do not support the proposed maximum height increases in Newcomen and Bolton Streets to 25 metres (from 10 metres) and FSRs from 1.5 to 3.0. It is particularly important to retain the historic, human-scale character of this, the oldest and most historic precinct in the CBD. There are also a considerable number of State heritage significant items in the area. The items and their setting/curtilage must be protected. The proposed maximum height increases would also block views to Christ Church Cathedral from the east, e.g., Fort Scratchley, Nobbys and Newcastle Beach. The tallest building in the area, Cohen's warehouse, should be regarded as an aberration rather than as a benchmark on which to base future maximum building heights.
- There are other examples of changes that would have a negative impact in terms of good urban design. For instance, Newcastle University is interested in purchasing land on the Hunter/Auckland Street corner. The LEP height limit is 30 metres, which is designed to reduce the impact of future development on the adjacent University House (former Nesca House, 1937, State Heritage Register (SHR) listed) and nearby Newcastle City Hall and the Civic Theatre building (1929, and recently listed on the SHR). According to media reports, the University want to construct a building of 45 metres height (50% above the limit). The NURS proposed new height is 45 metres, which accords with the university's scheme. There can be no urban design justification for this increase in height limit-quite the reverse. A similar example is the vacant former Legacy House site in Bolton Street. The changes appear to be related to developers' claims about commercial viability rather than sound urban design principles.
- There is no proposal for the future use of Newcastle Railway Station or Newcastle Courthouse (the 1890 and 1960s buildings) if they become vacant. The Court Building is listed on the SHR and its interior was designed for courtrooms with highly significant heritage fittings and furniture. A new non-justice related use would trivialise the heritage significance of the building. Similarly, Newcastle Station was purpose-designed as a railway station complex.
- The proposed height increases to the former David Jones building and car park sites cannot be justified and appear to be designed to maximise development potential for the owners. They would have a severe negative impact on the human scale character of the Mall area. No reason is given to justify this or other height and FSR increases.

- It would appear that sites have been handpicked on behalf of developers for their development potential and development standards altered to accommodate maximising that potential. The role of the Hunter Development Corporation, a public sector property developer, now part of the NSW Planning Department is, given its clear conflict interest, of particular concern.

Supporting the city's heritage" (4.3.6)

This part of the study document begins with positive statements such as:

*Newcastle has a wealth of heritage buildings ranging from large former commercial buildings to intimately scaled terrace houses.

*Newcastle's heritage makes a significant contribution to the character of the city centre and reveals the city's history and culture.

*Many of these (buildings) are concentrated in the east end which has a large stock of relatively intact late 19C and early 20c buildings.

*The retention and revitalisation of the heritage buildings is (sic) essential to place making and urban renewal in all cities, especially in Newcastle.

*There are opportunities to retain and adaptively reuse these heritage buildings so they can continue to contribute to the unique character of the city, while regaining commercial and economic relevance.

It goes on to detail six case studies of recycling opportunities for highly significant heritage buildings. While these studies are well worth considering, the emphasis appears to be on commercial opportunities, while not necessarily giving the best outcome in heritage terms. For instance, Newcastle Ocean Baths is a public pool with free public access and associated amenities (e.g., dressing sheds). While the concept of a cafe/restaurant at the northern end (former women's dressing shed) has merit and has been considered by the owner (Newcastle City Council), a boutique hotel would essentially privatise part of the complex.

The Victoria Theatre proposal in particular has merit, and is only a design idea. However, it would need a Conservation management plan to identify important heritage fabric for retention. The owner must urgently be made to honour his obligations to maintain this SHR building before it is further vandalised, subject to arson attack or becomes economically unfeasible to conserve. Its condition is a disgrace.

Cohen's warehouse is already the subject of a redevelopment proposal. The proposed additional height may compromise the heritage characteristics (low scale development) in the neighbouring areas that the study acknowledges as important. It should also be acknowledged that the northern wall as well as the Bolton St facade mentioned in the study should be retained.

Similarly, the proposed height of the School of Arts conversion would also conflict with the heritage urban character of the Mall area. This building has a considerable amount of interior heritage fabric.

Council's Newcastle East Heritage Conservation Area (acknowledge in the study as having a large stock of low height heritage buildings) was zoned for medium density in the 2008 and 2012 LEPs. The NURS retains this inappropriate development standard. This is a very sensitive, historically low- rise area and should not be redeveloped for medium rise development. We recommend reverting to the pre-2008 (LEP 2003?) heights.

There are no maps identifying LEP listed heritage items or heritage conservation areas in the Strategy document. This is unsatisfactory.

There is no mention of the existence of Council's CBD and Newcastle East Heritage Conservation Areas (HCAs) in the Strategy.

There is no recognition of the important characteristics of the HCAs that should be considered in any future development. These include the need to retain and adaptively recycle listed heritage items as well as items on non-statutory lists, contributory buildings, maintenance of streetscapes and settings. Additionally there appears to be no understanding of the need to design development standards and urban design guidelines (Maximum heights and FSRs, setbacks, appropriate materials, etc) to protect the highly significant heritage urban character and guide future development within the HCAs.

In particular the low, human scale character of the eastern precinct ("City East"), east of Auckland Street, which respects the topography of the Hill area and with Christ Church cathedral at its apex, must be protected.

NURS fig D (increased FSR) needs to be more carefully considered in respect of the number of heritage items in the NURS area. Again this particularly applies to the historic Newcastle East HCA.

NURS Fig. E (zoning) for medium and high density needs to be more carefully considered, and on a block by block basis.

Devonshire Street Controls (5.3.5):

We support the Strategy's call for controls for built form that retains its pedestrian scale and relates the podium height to the predominant street wall height established by "heritage buildings" and buildings that contribute to the character of the precinct. A previous development approval (c 2002) allowed for a significant narrowing of what is arguably Newcastle's best example of a Melbourne CBD- style lane. It's also ironic that Council has approved the demolition of the heritage buildings on the site. At least some of these buildings should be retained.

We also support the controls for Cottage Creek and (what remains of) Birdwood Park (5.3.6, 5.3.7). We request that the fig trees (some are recently plantings while others are very mature (19C?) specimens) be retained.

The Store site and surrounds (5.3.8): We support the protection of the Newcastle Cooperative Store complex of heritage buildings. We call for the adaptive reuse of these buildings rather than a facadism approach.

Wickham Village (5.3.10) we call for the protection of the heritage character of this historic village. We believe that a heritage study be made for the area.

Views, vistas and landmarks (5.4): The view corridors from Christ Church Cathedral are shown as two direct views to the cathedral southward. It ignores the 180 degrees view arc from the Cathedral northwards as shown the DCP (City East).

Street frontage Heights (5.6). We support the LEP existing controls. The simplified heights are designed to "give certainty for redevelopment" at the expense of sound urban design principles.

Special Areas: Hunter Street Mall (5.3.2)

Objective 1 states "strengthen the sense of place and urban character". Proposed height controls are at odds with this.

Objective 2 states “build on heritage character “. Again the proposed height controls are in opposition to this objective.

Objective 6 states (inter alia) “protect heritage buildings”. The Hunter St Mall indicative Plan (fig.5.12) shows only 5 “buildings likely to stay”. This assessment is incompetent in terms of heritage assessment and is contrary to the statements in the NURS’s part 4.3.6 (“Supporting the city’s heritage”). It ignores many buildings listed in Newcastle LEP 2012 heritage schedule, the National Trust Register. It also omits heritage buildings identified for adaptive recycling in the original GPT development proposal. It also flies in the face of objectives 1, 2 and 6 above. Incredibly it excludes the landmark heritage buildings that comprise David Jones Department store.

We refer you to the heritage information document prepared by Newcastle City Council, “Newcastle by design, architectural Icons/Hunter Street Mall, a self guided walking tour” (2006). It identifies 20 heritage buildings within the Hunter St Mall and another 13 in Hunter St, between Newcomen and Watt Sts.

They are described by Council as “architectural gems” that “enrich understanding of the social and commercial development of Newcastle”. It further describes them as “a rich collection of commercial and institutional buildings, many designed by notable local architects. The quality and diversity of architectural styles found here are testimony to the historic importance of the main (i.e., Hunter) Street and its ongoing place in our local identity”. This is Council’s assessment of these buildings. The Trust concurs with this assessment. Most of them are ignored in the strategy.

The strategy’s response to this was to identify a mere 5 buildings (including 2 only in Hunter St and a Telephone Exchange unlikely to be redeveloped) that are “likely to stay”. This is a manifestly incompetent assessment of the Mall’s built heritage. In the Trust’s view The Mall is one of the most important built heritage precincts in the region. The potential laneway” (4) in fig.5.12 (p 163) is not supported as it would involve the demolition of part of the heritage- significant 1890s warehouse building facing Perkins Street that adjoins the 1913 Scott’s (David Jones) building. There are existing laneways (Laing, Morgan, Keightley & Thorn streets) that have considerable potential for pedestrian or shared pathway use.

Fig. 5.18 (Crown St indicative plan) similarly leaves out heritage buildings on the west side of Crown and Hunter streets.

Fig. 5.30 (Emporium and Devonshire Street indicative plan and fig 5.31 (Cottage Creek indicative plan) also omit a number of identified heritage items.

Facadism:

The strategy promotes a facadism approach to adaptive recycling of most heritage buildings. Facadism is a largely discredited method and in most situations produces an unsatisfactory outcome.

The term is used to describe the retention of the facade of a building, usually the street elevation. The remainder of the building is demolished and a building of contemporary design is constructed behind the preserved facade. It is regarded by heritage experts as being not best practice for the adaptive reuse of a heritage building or a building that contributes to a heritage conservation area. This does not necessarily mean that the entire building must be retained but rather that at least a significant part of the original fabric besides the facade(s) be conserved to allow the original structure to be interpreted. The only exceptions that are acceptable are when the interior has been destroyed by alterations and renovations so as not to leave any interpretive detail of the interior of the original internal spaces. Or rare cases where the facade’s heritage significance far outweighs the importance of the building behind.

The NURS should include a section on discouraging facadism, given the widely held perception, particularly in the property development industry, that heritage significance is only external and linked to age.

The James Fletcher Hospital (JFH) and Newcastle Court sites (Church, Newcomen, Ordnance and Watt Streets).

JFH is an extremely important heritage site dating back to the beginnings of European settlement in Newcastle. It contains a wealth of highly significant buildings and places associated with its period as the Government Domain (early 19C) and later as a military barracks and mental hospital. Its historic, architectural, social and aesthetic importance is very high. It is listed on the SHR and a draft proposal for having it listed on the National Heritage List has been submitted to the Commonwealth Government. It is unzoned and there are no FSR and height limits. The Trust believes the best way to protect the site, its setting and buildings would be to have it continue in public or community use.

There is no reference to the site in the NURS. It is well known that there are pressures from the property industry to redevelop within the site and there have been proposals in the media for commercial and residential development.

The Strategy should have included a firm statement about the site's future. However, there is none.

The Newcastle court site is similarly under pressure to be redeveloped, particularly because it is due to be closed when the court transfers to the Civic area. Again the Strategy is silent about the site and its future. Both the court complex and the adjacent JFH sites have very high heritage significance and their futures remain uncertain.

SUMMARY

The NURS makes many supportive statements about valuing heritage but is very disappointing because it has very few positive heritage initiatives to back up the statements. These include identification of buildings for protection and built form controls that respect heritage and good urban design. It's clearly a strategy that aims at maximising development potential at the expense of the CBD's historic urban character. It assumes that removing the historic rail corridor must occur for the urban renewal to be successful without producing evidence to validate this supposition. Ironically none of the Study's initiatives are funded except for \$60M infrastructure funding to contribute to the very conservative estimate of \$120M needed to truncate the rail line at Wickham. There is also no firm plan for the future of the rail corridor. The Strategy is also silent about the future of the Court site and JFH site. In heritage conservation terms the strategy is very unsatisfactory.

Keith Parsons
Chair
Hunter Regional Committee of the National Trust