

ATTACHMENTS DISTRIBUTED UNDER SEPARATE COVER

**CCL 25/06/2024 - HERITAGE ITEM - 14 SUNDERLAND STREET
MAYFIELD - PLANNING PROPOSAL - AMENDMENT TO
NEWCASTLE LOCAL ENVIRONMENTAL PLAN 2012**

- 8.5 Attachment A:** Planning Proposal – Heritage item at 14 Sunderland Street Mayfield
- 8.5 Attachment B:** Heritage Assessment - 14 Sunderland Street Mayfield, prepared by Artefact

DISTRIBUTED UNDER SEPARATE COVER



PLANNING PROPOSAL

New heritage item at 14 Sunderland Street Mayfield

Version 1.0 - Council Endorsement

June 2024

For enquiries please call 4974 2000

For more information:
www.newcastle.nsw.gov.au

CONTENTS

Introduction	1
Summary of proposal	1
Background	1
Applicable land.....	2
Part 1 - Objectives and intended outcomes	6
Part 2 - Explanation of provisions	6
Part 3 – Justification of strategic and site-specific merit	6
Section A - Need for the planning proposal.....	6
Section B - Relationship to strategic planning framework.....	1
Section C - Environmental, social and economic impact	5
Section D - State and Commonwealth interests	7
Part 4 - Mapping	9
Part 5 - Community consultation	11
Part 6 - Project timeline	12

New heritage item at 14 Sunderland Street Mayfield

Introduction

City of Newcastle (CN) prepared this planning proposal under Section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It explains the intended effect of a proposed local environmental plan (LEP) amendment and sets out the justification for making the plan.

The NSW Government's *Local Environmental Plan Making Guideline* (August 2023) informed the preparation of this planning proposal.

This planning proposal will be used to decide whether the proposal should proceed or not. It may evolve due to various reasons, such as feedback during the exhibition. It will be updated at key stages in the plan making process.

Summary of proposal

Proposal	Amend Newcastle Local Environmental Plan 2012 to create a new heritage item at 14 Sunderland Street, Mayfield.
Property Details	14 Sunderland Street, Mayfield (Lots 27A and 27B, DP 977626)
Applicant Details	City of Newcastle

Background

The Newcastle LEP 2012 lists almost 700 heritage items, eight heritage conservation areas and 23 archaeological sites in Schedule 5 Environmental Heritage. This planning proposal relates to 14 Sunderland Street, a property that is not listed as an item of heritage significance in Newcastle LEP 2012.

CN received a development application (DA2023/00965) on 13 October 2023 for the 'demolition of an existing dwelling and erection of a two-storey co-living housing development, comprising 30 individual rooms at 14 Sunderland Street Mayfield. The DA was placed on public notification on two occasions, most recently between 10 November and 24 November 2023, attracting over 60 submissions, many of which cited heritage as a concern.

Councillors endorsed Notice of Motion 9.4 Protecting and Valuing Newcastle's Heritage on 28 November 2023. It noted CN values the unique heritage and character of its buildings, streetscapes, and landscapes, and requested further investigation into the potential heritage significance of 14 Sunderland Street, Mayfield.

CN engaged an independent consultant to prepare a preliminary heritage assessment for the site. It found the site likely to have heritage significance at a local level. In response, on 27 February 2024 Council resolved:

That Council:

- a. *Make an Interim Heritage Order as set out in Attachment B pursuant to sections 25(2) and 27(a) of the Heritage Act 1977 and in accordance with the Ministerial Order published in the NSW Government Gazette on 12 July 2013 in respect to the land located at 14 Sunderland Street, Mayfield (Lots 27A and Lot 27B in Section D of DP 977626); and*
- b. *Initiate further investigations to determine if a Planning Proposal to list the property as an item of local heritage significance within Schedule 5 Environmental Heritage of the Newcastle Local Environmental Plan 2012 is warranted; and*
- c. *Commence the Planning Proposal process, including seeking Gateway Approval, to list the property as an item of local heritage significance should it be determined through further detailed investigation that 14 Sunderland Street, Mayfield is an item of local heritage significance.*

Interim Heritage Order (IHO) No. 2024/01, relating to the subject property, was published in the Government Gazette No. 73—Planning and Heritage on 1 March 2024 (Attachment A). An IHO is a temporary heritage protection measure that safeguards a place of potential heritage significance for a period of up to 12 months. An IHO prevents demolition or harm to a building for a temporary period. It enables the Council to undertake a detailed heritage assessment, determine if a place should be listed as a heritage item under the LEP, and prepare a planning proposal if necessary. The legal effect of an IHO is to prohibit demolition and require approval for any development for the duration of the order.

Following gazettal of the IHO, CN engaged an independent heritage consultant to complete a detailed heritage assessment of the property (Attachment B). The assessment found the property at 14 Sunderland Street Mayfield has heritage significance as follows:

The dwelling at 14 Sunderland Street Mayfield is a late Victorian dwelling representing the residential development of the suburb of Mayfield and is one of few comparable places in the local area dating from the earliest phase of the Houghton Le Spring Subdivision. The dwelling is visually prominent, retaining its form, scale, detailing and integrity. The dwelling possesses aesthetic and historical qualities acknowledged by the local community.

The dwelling was purchased, occupied and likely constructed by the Braye family during Thomas Braye's first tenure as Mayor of Waratah. Thomas Braye was a well-known Waratah resident, from an early local family, known for being one of the youngest aldermen to be elected to council.

The dwelling at 14 Sunderland Street Mayfield reaches the local significance threshold under Criteria (a), (b), (d), (f) and (g).

The heritage assessment recommends CN list the site by amending the LEP 2012 to include the site as a heritage item in Schedule 5 Environmental Heritage.

Applicable land

The proposal consists of land at 14 Sunderland Street, Mayfield – legally referred to as Lots 27A and 27B, DP 977626. It is south of the Maitland Road commercial centre in an area predominantly residential in character (Figure 1).

The site of approximately 1,030 m² is rectangular, bounded by Sunderland Street to the south and an unnamed laneway to the north (Figure 2). It contains a single storey masonry dwelling house (Figure 3 and Figure 4).

LEP 2012 is the principal planning instrument for the site. It has the following attributes:

- The site is zoned R3 Medium Density Residential.
- The site has a minimum lot size of 400m².
- The maximum Height of Buildings (HOB) is 10m.
- The maximum Floor Space Ratio (FSR) is 0.9:1.
- The site is identified as containing Class 4 Acid Sulphate Soils and is flood prone.
- The site does not currently contain an item of environmental heritage and is not within a heritage conservation area.

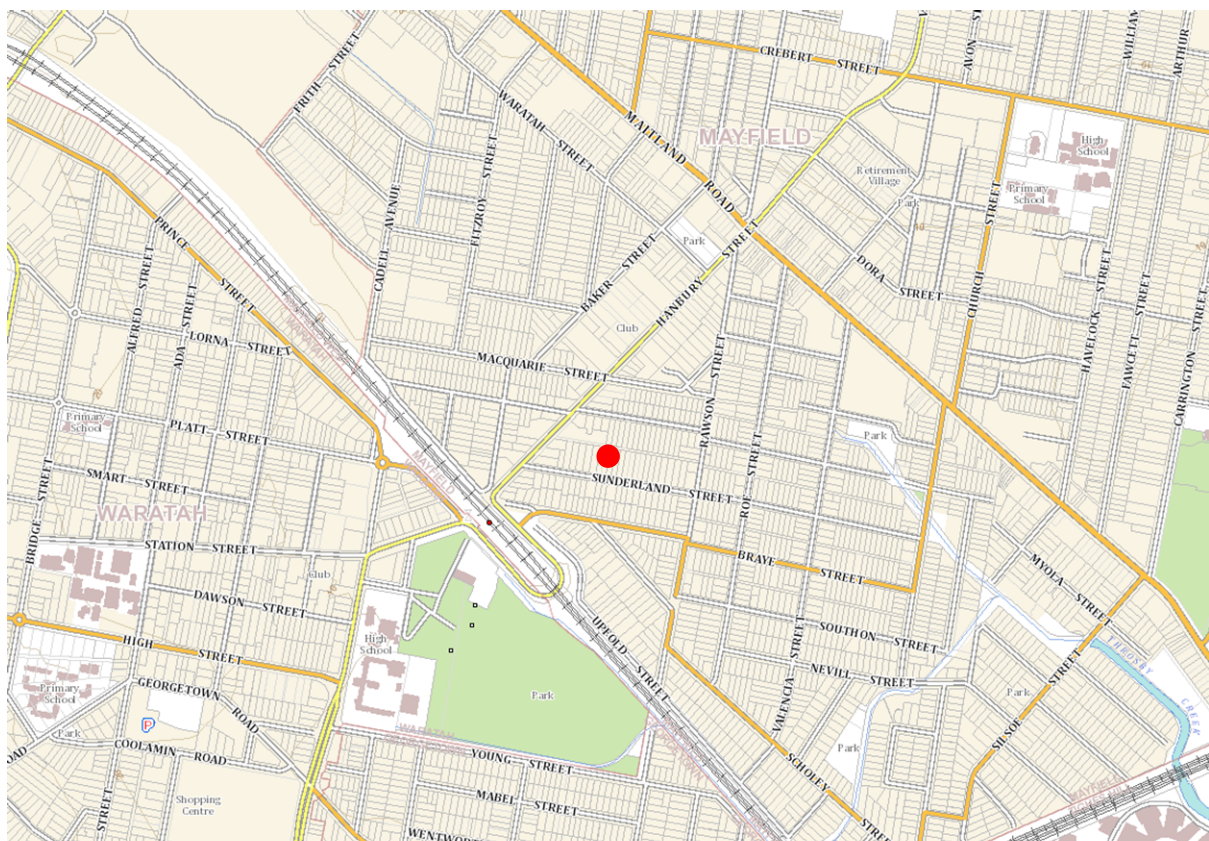


Figure 1 Local context of the site. (Source: NSW Planning Portal Spatial Viewer)



Figure 2 Aerial photo of the site. (Source: CN)



Figure 3 Street facing elevation of 14 Sunderland Street, Mayfield. (Source: Artefact, 2024)



Figure 4 View of the property looking east from Sunderland Street. (Source: Artefact, 2024)

Part 1 - Objectives and intended outcomes

The planning proposal's intended outcome is to amend the LEP 2012 to list 14 Sunderland Street, Mayfield as a heritage item of local significance.

Part 2 - Explanation of provisions

The proposed outcome will be achieved by amending LEP 2012 as follows:

- Amending Schedule 5 Environmental Heritage to include the site as a heritage item of local significance to be referred to as a 'Residence'.
- Amend the LEP 2012 Heritage Map to include the site (see excerpt below at Figure 5).



Figure 5 Excerpt of proposed Heritage Map. (Source: CN, 2024)

Part 3 – Justification of strategic and site-specific merit

Section A - Need for the planning proposal

1. *Is the planning proposal a result of any strategic study or report?*

A preliminary heritage assessment of the site in February 2024 found the site likely to be of heritage significance with further assessment. The property is the subject of an IHO, published in Government Gazette No. 75 on Friday 1 March 2024. Following gazettal of the IHO, a detailed heritage assessment was undertaken to confirm the significance of the site. The detailed heritage assessment found:

The dwelling at 14 Sunderland Street Mayfield is a late Victorian dwelling representing the residential development of the suburb of Mayfield and is one of few comparable places in the local area dating from the earliest phase of the Houghton Le Spring Subdivision. The dwelling is visually prominent, retaining its form, scale, detailing and integrity. The dwelling possesses aesthetic and historical qualities acknowledged by the local community.

The dwelling was purchased, occupied and likely constructed by the Braye family during Thomas Braye's first tenure as Mayor of Waratah. Thomas Braye was a well-known Waratah resident, from an early local family, known for being one of the youngest aldermen to be elected to council.

The dwelling at 14 Sunderland Street Mayfield reaches the local significance threshold under Criteria (a), (b), (d), (f) and (g).

The study concludes that the site warrants heritage listing under the provisions of the Newcastle LEP 2012 in order to protect its heritage significance.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the best way to achieve the intended outcome of ensuring known and potential heritage places in Newcastle are conserved for the benefit of everyone, so they continue to contribute to the local character and sense of place.

Amending LEP 2012 is the best way of achieving the objectives of this planning proposal, and:

- Provides the necessary planning pathway to recognise the site's heritage significance.
- Establishes the formal nexus for NSW Environmental Planning Instruments such as Newcastle LEP clause 5.10, and requirements for heritage conservation.
- Provides certainty and clarity for the community and development industry regarding the development expectations for the site.
- Allows for the heritage significance of the heritage item to be considered when assessing future development of the site.

Section B - Relationship to strategic planning framework

3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

Hunter Regional Plan 2041

The *Hunter Regional Plan 2041* (HRP 2041) guides land use planning for the Hunter region over the next 20 years. It identifies opportunities for sustainable growth, infrastructure, resilience, equity and provides the framework for an infrastructure-first place-based approach. The plan includes overarching directions, goals and actions as well as specific priorities for each local government area in the Hunter region.

The planning proposal is consistent with HRP 2041 objectives and strategies as follows:

Objective 6—Conserve heritage, landscapes, environmentally sensitive areas, waterways and drinking water catchments

1. Strategy 6.6—Local strategic planning will ensure all known places, precincts, landscapes and buildings of historic, scientific, cultural, social, archaeological, architectural and aesthetic significance to the region are identified and protected in planning instruments.

The planning proposal is consistent as it formally recognises and conserves the heritage significance of 14 Sunderland Street Mayfield, recommended by an evidence-based study.

Greater Newcastle Metropolitan Plan 2036

The *Greater Newcastle Metropolitan Plan 2036* (GNMP) aims to deliver a collaborative framework to achieve a significant part of the HRP 2041, by identifying the strategies and actions needed to create an integrated metropolitan city, as well as identify and prioritise infrastructure and services needed in catalyst areas.

The GNMP 2036 provides specific directions for councils, including the action to "identify, protect and celebrate Aboriginal cultural heritage, historic heritage and maritime heritage."

The planning proposal is consistent with strategies and actions to facilitate Outcome 2 – Enhance environment, amenity and resilience for quality of life. In particular, the protection of heritage buildings and places helps retain the distinctiveness of Greater Newcastle's neighbourhoods and celebrate their history and character. It will support Strategy 10 - Create better buildings and great places to 'promote innovative approaches to the creative-use of heritage places, ensuring good urban design preserves and renews historic buildings and places'.

4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Newcastle 2040 Community Strategic Plan

The Newcastle 2040 Community Strategic Plan (CSP) is a shared community vision, developed as a guide to inform policies and actions throughout the city for the next 10+ years. With direct input from the community, it represents what we value in our city and what we want to prioritise.

The CSP outlines four key themes to guide this vision (Figure 6). The planning proposal aligns with the objectives under these themes and will contribute to "enriched neighbourhoods and places" (Theme 1.1), as well as "trust and transparency" (Theme 4.2).

Through the CSP, the Newcastle community has expressed its aspiration that moving towards 2040, local heritage places will be protected. Overall, CN aims to ensure that the significant aspects of the city's heritage are identified, cared for, celebrated, and appropriately managed on behalf of residents and visitors of Newcastle. The intention is to ensure decisions about heritage places are made with due regard to heritage significance, and that we strengthen or better appreciate heritage significance.



Figure 6 Newcastle 2040 Community Strategic Plan themes and objectives. (Source: Newcastle 2040 CSP)

The planning proposal is consistent with the following priorities and objectives in the CSP:

1 Liveable:

- 1.1 Enriched neighbourhoods and places
 - 1.1.3 Protected heritage places

4 Achieving Together:

- 4.2 Trust and transparency
 - 4.2.1 Genuine engagement

Newcastle Local Strategic Planning Statement

The Local Strategic Planning Statement (LSPS), adopted in May 2020, complements the CSP. It is a 20-year land use vision to guide future growth and development in Newcastle. It informs changes to LEP 2012, Development Control Plan 2012, and other land use strategies.

The planning proposal is consistent with the Principles of Priority 11 which seeks to 'ensure known and potential heritage places and values are conserved and contribute to local character and sense of place.' The LSPS states that CN's land use decisions will reflect our commitments included in our Heritage Policy, which are:

- Knowing our heritage
- Protecting our heritage
- Supporting our heritage
- Promoting our heritage

Newcastle's Heritage Strategy 2020-2030

CN's Heritage Strategy is a strategic framework for the management of heritage matters over the next ten years. It draws from the CSP and CN's Heritage Policy 2013 (updated 2022). Consultation told us the community has strongly expressed its aspiration that moving towards 2030+, local heritage will be valued, enhanced, and celebrated. It guides CN's vision, statutory obligations and community expectations to regulate and manage local heritage. It aligns with the United Nations' Sustainable Development Goals and New Urban Agenda, the HRP2041, GNMP and NSW Heritage Council's contemporary heritage guidelines for local government.

The strategy identifies actions and services that align with the CN's heritage policy, best practice, legislative responsibilities and community expectations. It identifies the vision statement for heritage, sets out the context, identifies the core themes/priorities and the objectives, outcomes and measures of these themes.

The planning proposal is consistent with the following CN's Heritage Strategy priorities:

- Priority 1 Enhancing our community's knowledge of and regard for local heritage items and places.*
- Priority 2 City of Newcastle will protect and conserve the City's heritage places for the benefit of everyone.*
- Priority 3 City of Newcastle will protect the integrity of heritage places by ensuring consistent and sympathetic uses, physical and aesthetic treatments and outstanding interpretations.*
- Priority 4 Newcastle's significant heritage places are a unique historical resource and represent an asset for the continuing educational, cultural and economic enrichment of the region. City of Newcastle will invest in the promotion and care of these assets as part of the city's economic and cultural development.*

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The planning proposal is assessed against the relevant SEPPs in the table below.

Table 1 Relevant State Environmental Planning Policies.

Relevant SEPPs	Consistency and Implications
SEPP (Biodiversity and Conservation) 2021	Consistent - this planning proposal (PP) will not prevent application of this policy.
SEPP (Exempt and Complying Development Codes) 2008	This policy requires development consent for demolition and a range of physical works if a site contains a local heritage item. Heritage listing the site reduces the scope of what constitutes exempt and complying development as stipulated by the policy, however it will not prevent the application of the policy.
SEPP (Housing) 2021	Consistent - this PP will not prevent the application of this policy. This policy applies to development for the purpose of affordable and diverse housing delivery, such as boarding houses and residential flat buildings (RFBs) among others of lower scale and intensity. The subject area is zoned R3 - Medium Density Residential under the LEP 2012, where residential accommodation, including RFBs, are permissible. In practice, listing as a heritage item may limit the extent and/or scale of future development options at the site, such as RFBs. Future development would need to be assessed using the provisions of Clause 5.10 (Heritage Conservation) requiring conservation of the heritage significance of heritage items including associated fabric, setting and views.
SEPP (Industry and Employment) 2021	N/A
SEPP (Planning Systems) 2021	N/A
SEPP (Primary Production) 2021	N/A
SEPP (Resilience and Hazards) 2021	The policy applies to the subject land. The site is within a Coastal Environment Area but is not identified as potentially contaminated. CN is satisfied the PP is

	consistent with the aims of this policy and will not prevent its application.
SEPP (Resources and Energy) 2021	N/A
SEPP (Sustainable Buildings) 2021	The site is zoned R3 Medium Density Residential and residential uses are permissible and the site is currently used as a residence. The heritage listing of the site may have design implications when applying the policy to the site for sustainable building requirements (i.e. location of solar panels, water tanks etc). This is not considered significantly unfeasible or unworkable. Moreover, by promoting adaptive reuse and restoration of existing structures, heritage items can contribute significantly to reducing carbon footprints and embodied energy associated with new developments.
SEPP (Transport and Infrastructure) 2021	Consistent - this PP will not prevent the application of this policy.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s9.1 directions)?*

The planning proposal is assessed against the relevant Ministerial Directions in the table below.

Table 2 Relevant Ministerial Directions (Section 9.1 directions).

Section 9.1 Direction	Applicable	Consistency and implications
Focus area 1: Planning Systems		
1.1 Implementation of Regional Plans	Yes	Consistent. The planning proposal (PP) is consistent with HRP 2041 as outlined above.
1.3 Approval and Referral Requirements	Yes	Consistent. The PP does not include any provisions that will require subsequent development applications to seek approval or referral from any other public authority and does not identify development as designated development. CN will consult with public authorities before exhibition per any gateway determination conditions.
Focus Area 1: Planning Systems – Place-based		
N/A		
Focus Area 2: Design and Place		
N/A		
Focus Area 3: Biodiversity and Conservation		
3.2 Heritage Conservation	Yes	Consistent. The PP would create a new heritage item in the LEP 2012. It intends to list an item identified in an independent heritage assessment of the site (May 2024). This will facilitate the heritage conservation of the item per the recommendations of that assessment. The PP will not affect existing heritage conservation provisions in LEP 2012.
Focus Area 4: Resilience and Hazards		
4.1 Flooding	Yes	Consistent. The site is identified by CN as being flood prone. Including the site as a heritage item in LEP 2012 will not change the flood prone land provisions or how these are applied to future site development.

4.2 Coastal Management	Yes	Consistent. The PP does not propose a change of zoning or any amendments to the maps in the policy.
4.4 Remediation of Contaminated Land	Yes	Consistent. No changes are proposed to the zoning of land or permissible uses as part of this PP. As such, CN has not sought a preliminary investigation under the contaminated land planning guidelines.
4.5 Acid Sulfate Soils	Yes	Consistent. The PP does not include provisions or amendments that will increase the risk or hazard from the current potential, and so does not require any further study.
4.6 Mine Subsidence and Unstable Land	Yes	Consistent. The PP does not affect land within a proclaimed mine subsidence district.
Focus Area 5: Transport and Infrastructure		
N/A		
Focus Area 6: Housing		
6.1 Residential Zones	Yes	Consistent. The PP should not significantly affect the ability of future development to contribute to a variety of housing choices and will continue to enable the use or adaptation of existing structures on the site where possible.
Focus Area 7: Industry and Employment		
N/A		
Focus Area 8: Resources and Energy		
N/A		
Focus Area 9: Primary Production		
N/A		

Section C - Environmental, social and economic impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The subject land does not contain critical habitat or threatened species, populations or ecological community, or their habitats.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Traffic and Transport Considerations

The planning proposal is not likely to result in development that would create any significant adverse traffic and transport effects.

Environmental Considerations

Bushfire hazard

The land is not bush fire-prone land in the Newcastle Bush Fire Hazard Map (2018).

Acid Sulfate Soil

The land is Class 4 Acid Sulfate Soils. The planning proposal does not propose an intensification of use. Future development must comply with Clause 6.1 Acid Sulfate Soils of LEP 2012.

Noise impact

This proposal allows the land's continued use for residential purposes, there is no increase of noise anticipated as a result of the listing of the site for its heritage significance.

Flora and / or fauna

The planning proposal is not likely to result in development that would create any significant adverse effects on local flora and/or fauna.

Soil stability, erosion, sediment, landslip assessment, and subsidence

The site is not identified as unstable or in a landslip area and is not located in a mine subsidence district. The planning proposal is not likely to result in development that would create any significant adverse effects in this regard.

Water quality

The planning proposal is not likely to result in development that would create any significant adverse impacts on water quality of the area.

Stormwater management

Appropriate stormwater management would be assessed and regulated as part of future development of the site and would not be affected by this planning proposal.

Flooding

Any future development of flood prone land is required to be consistent with NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual. Flooding is managed through LEP 2012 clauses 5.21 and 5.22, as well as through the DCP. Including the site as a heritage item in LEP 2012 will not change the provisions for flood prone land or how these are applied to future site development.

Land/site contamination

There is no known contamination of the land and the current and former uses of the land are unlikely to cause risk of contamination.

Social and Cultural Considerations

Heritage impacts

This planning proposal seeks to protect Newcastle's heritage in a sustainable way. Ongoing management and protection of Newcastle's heritage will assist making the city attractive to visitors, businesses and potential residents and strengthen "its reputation as a smart, liveable and sustainable global city" (Heritage Strategy, 2020).

An independent heritage significance assessment found the site warrants local heritage item listing and this planning proposal will enable that.

The heritage assessment found:

The dwelling at 14 Sunderland Street Mayfield is a late Victorian dwelling representing the residential development of the suburb of Mayfield and is one of few comparable places in the local area dating from the earliest phase of the Houghton Le Spring

Subdivision. The dwelling is visually prominent, retaining its form, scale, detailing and integrity. The dwelling possesses aesthetic and historical qualities acknowledged by the local community.

The dwelling was purchased, occupied and likely constructed by the Braye family during Thomas Braye's first tenure as Mayor of Waratah. Thomas Braye was a well-known Waratah resident, from an early local family, known for being one of the youngest aldermen to be elected to council.

The dwelling at 14 Sunderland Street Mayfield reaches the local significance threshold under Criteria (a), (b), (d), (f) and (g).

The planning proposal will have a positive heritage outcome for the City of Newcastle by ensuring a place of local heritage significance continues to contribute to the local community's sense of place. The planning proposal will strengthen planning controls protecting the site's heritage significance.

Aboriginal archaeology

No items of Aboriginal cultural heritage have been identified on the site. It is unlikely given the historic land uses.

European archaeology

No items of European cultural heritage have been identified on the site. It is unlikely given the historic land uses.

9. Has the planning proposal adequately addressed any social and economic effects?

Social and Cultural Considerations

The planning proposal will have a positive impact on the social fabric of CN by ensuring a place of local heritage significance continues to contribute to the local community's sense of place.

CN received a community nomination in January 2024 to investigate the site for its potential as a heritage item. CN will consult further with the local community via public exhibition per any gateway determination conditions.

Councillors endorsed Notice of Motion 9.4 Protecting and Valuing Newcastle's Heritage on 28 November 2023. It noted CN values the unique heritage and character of its buildings, streetscapes, and landscapes, and requested an investigation of the site's potential heritage significance. This further reinforces that heritage protection of the site has community support.

Economic Considerations

The economic impact of the planning proposal is likely to be minimal with no change to the current R3 Medium Density Residential land use zoning and no proposal to intensify or reduce the existing use of the site.

Section D - State and Commonwealth interests

10. Is there adequate public infrastructure for the planning proposal?

Existing infrastructure is adequate to serve or meet the needs of the proposal.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No State or Commonwealth public authorities have been consulted at this stage. Public authorities will be consulted in accordance with the gateway determination.

Part 4 - Mapping

The planning proposal seeks to amend the following maps within Newcastle LEP 2012:

- Heritage Map

The matrix below indicates (with an "X"), which map sheets (of Newcastle LEP 2012) are to be amended as a result of this planning proposal (eg. FSR_001C)

	FSR	LAP	LZN	WRA	ASS	HOB	LSZ	LRA	CL1	HER	URA
001											
001A											
001B											
001C											
001D											
002											
002A											
002B											
002C											
002D											
002E											
002F											
002G											
002H											
003											
004											
004A											
004B										X	
004C											
004D											
004E											
004F											
004FA											
004G											
004H											
004I											
004J											
004K											

Map Codes:	FSR	=	Floor Space Ratio map
	LAP	=	Land Application Map
	LZN	=	Land Zoning Map
	WRA	=	Wickham Redevelopment Area Map
	ASS	=	Acid Sulfate Soils Map
	HOB	=	Height of Buildings Map
	LSZ	=	Lot Size Map
	LRA	=	Land Reservation Acquisition Map
	CL1	=	Key Sites Map & Newcastle City Centre Map
	HER	=	Heritage Map
	URA	=	Urban Release Area Map

The following maps illustrate the proposed amendments to the LEP 2012 maps:

- Figure 7 - Existing Heritage Map
- Figure 8 - Proposed Heritage Map

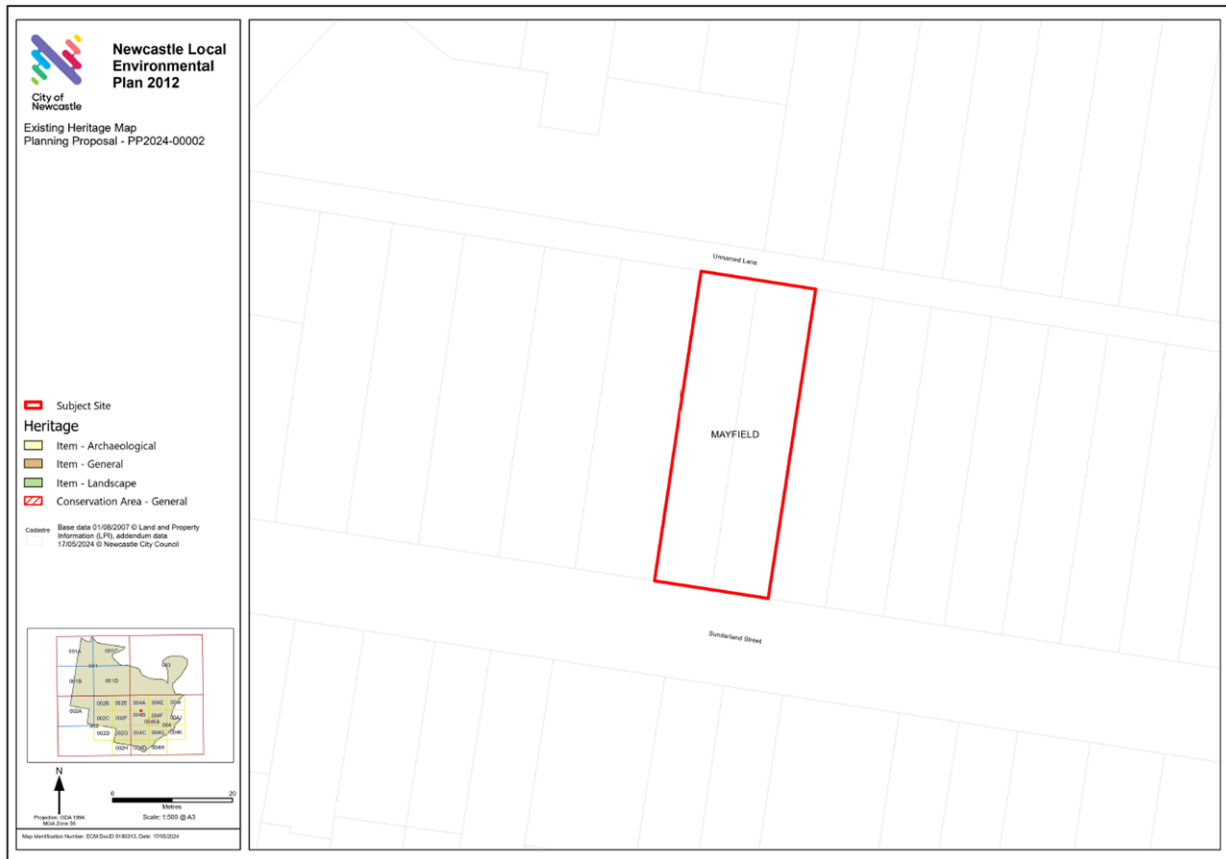


Figure 7 Existing Heritage Map. (Source: CN 2024)



Figure 8 Proposed Heritage Map. (Source: CN 2024)

Part 5 - Community consultation

The planning proposal is categorised as basic in the *Local Environmental Plan Making Guideline* (August 2023). Following the guideline the planning proposal is to be made available for comment for a minimum of 28 days. CN understands the gateway determination may alter this minimum.

Any relevant authorities will be consulted per the gateway determination requirements.

Part 6 - Project timeline

The plan making process is shown in the timeline below. It will be updated in accordance with the Gateway determination, once received.

Task	Planning Proposal Timeline											
	Jul 24	Aug 24	Sep 24	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Apr 25	May 25	Jun 25
Anticipated commencement date (date of Gateway determination)		Aug 2024										
PP amended to reflect Gateway Determination												
Commencement and completion dates for public exhibition period				28 days								
Timeframe for consideration of submissions and reporting												
Anticipated report back to Council for adoption												
Anticipated date LPMA* will make the plan												
Anticipated date RPA* will forward to the Department for notification												
Local Environmental Plan made											May 2025	

*LPMA - CN to exercise Local Plan-Making Authority functions


14 Sunderland Street, Mayfield

Heritage Significance Assessment

Report to City of Newcastle

May 2024



 artefact

Artefact Heritage and Environment

ABN 73 144 973 526

Suite 56, Jones Bay Wharf

26-32 Pirrama Road

Pymont NSW 2009

Australia

+61 2 9518 8411

office@artefact.net.au

Document history and status

Version	Date issued	Reviewed by	Approved by	Date approved	Version type
1	29/04/2024	JW	JW	29/04/2024	Draft
2	27/05/2024	JW	JW	27/05/2024	Final

Project name:	14 Sunderland Street, Mayfield – Heritage Assessment
Authors:	Kristen Tola, Jennifer Castaldi
Project manager:	Jenny Winnett
Project number:	240067
Name of organisation:	Artefact Heritage Services
Document version:	Final

© Artefact Heritage Services

This document is and shall remain the property of Artefact Heritage Services. This document may only be used for the purposes for which it was commissioned and in accordance with the Terms of the Engagement for the commission. Unauthorised use of this document in any form whatsoever is prohibited.

Disclaimer: Artefact Heritage Services has completed this document in accordance with the relevant federal, state and local legislation and current industry best practice. The company accepts no liability for any damages or loss incurred as a result of reliance placed upon the document content or for any purpose other than that for which it was intended.

CONTENTS

1.0	Introduction.....	1
1.1	Project background.....	1
1.2	Study area	1
1.3	Methodology	1
1.4	Limitations.....	1
1.5	Authorship and acknowledgements	1
2.0	Statutory and Legislative Context	4
2.1	<i>Heritage Act (NSW) 1977</i>	4
2.1.1	State Heritage Register	4
2.1.2	Section 170 registers	4
2.2	Environmental Planning and Assessment Act (NSW) 1979.....	4
2.2.1	Newcastle Local Environment Plan 2012	5
2.3	Summary of heritage listings	5
3.0	Historical Context	7
3.1	Aboriginal occupation and European contact.....	7
3.1.1	Mulubinba and Awaba	7
3.2	Newcastle in the early 1800s.....	8
3.2.1	Early settlement 1823-1853.....	8
3.2.2	Australian Agricultural Company and the expansion of settlements	9
3.3	Early settlement in Mayfield and Waratah.....	9
3.3.1	Development of the study area.....	13
3.4	Comparative analysis	20
3.5	Summary of comparative analysis	26
4.0	Physical Context.....	27
4.1	Site Inspection	27
4.2	Description of 14 Sunderland Street, Mayfield	27
4.2.1	Exterior	27
4.2.2	Interior.....	31
4.2.3	Analysis of Sunderland Street	34
5.0	Significance Assessment.....	40
5.1	Methodology	40
5.1.1	Assessing Significance	40
5.1.2	Assessing Integrity.....	41
5.1.3	Levels of significance of site components	41
5.2	Significance Assessment 14 Sunderland Street, Mayfield	43
5.3	Statement of significance	46
6.0	Conclusion and Recommendations,	47

6.1	Conclusions	47
6.2	Recommendations.....	47
7.0	References	49

LIST OF ABBREVIATIONS

AACo	Australian Agricultural Company
Artefact	Artefact Heritage and Environment
<i>Burra Charter</i>	<i>Burra Charter: The Australian ICOMOS Charter for Places of Cultural Significance</i> (2013) guide to caring for heritage places in Australia, available online from Australia ICOMOS
CMP	Conservation Management Plan
DCP	Development Control Plan (a Council guideline for development which accompanies and elaborates on the Council's Local Environmental Plan)
DP	Deposited Plan
ha	hectare
HCA	Heritage Conservation Area
Heritage NSW	Heritage New South Wales (Office of the Heritage Council of New South Wales, previously also known as the NSW Heritage office, the Heritage Branch, the Heritage Division of the Office of Environment and Heritage—OEH)
ICOMOS	International Council of Monuments and Sites
km	Kilometre
LGA	Local Government Area
LEP	Local Environmental Plan (made by local government Councils)
NSW	New South Wales
S170	Section 170 of the NSW <i>Heritage Act 1977</i> which requires government agencies to keep a Heritage & Conservation Register of the heritage places they own and manage
SHI	State Heritage Inventory (Heritage NSW's response to requirement to keep a publicly accessible list of all statutory-listed heritage places under <i>NSW Heritage Act 1977</i>)
SHR	State Heritage Register
SoHI	Statement of Heritage Impact

1.0 INTRODUCTION

1.1 Project background

Artefact Heritage and Environment (Artefact) has been engaged by City of Newcastle (CN) to prepare a Heritage Significance Assessment that provides heritage advice for the residential building lot located at 14 Sunderland Street, Mayfield, NSW.

1.2 Study area

The subject site is located at 14 Sunderland Street, Mayfield NSW (Lots 27A & 27B/D/DP977626), with a lot size of 400 m², and is in the City of Newcastle Local Government Area (LGA).

1.3 Methodology

This report provides an assessment of the heritage significance of the property. It includes a summary history and description of the locality and provides a detailed analysis of the heritage significance of the building. It has been prepared in accordance with the following guidelines:

- *The Burra Charter*, Australia ICOMOS, 2013.
- *Assessing Heritage Significance*, Heritage NSW, 2023A.

1.4 Limitations

This report assesses historical built heritage only. It does not assess Aboriginal cultural heritage or archaeological remains and their values. It was informed by desktop research, as well as by local history materials obtained through Newcastle Library. A site inspection of the exterior and interior of the building from the street was undertaken by Jennifer Castaldi (Senior Associate, Architect) and Jenny Winnett (Technical Director) both from Artefact Heritage and Environment on 27 March 2024.

1.5 Authorship and acknowledgements

Background research for this report was prepared by Kristen Tola (Heritage Consultant). The heritage assessment has been prepared by Jennifer Castaldi (Senior Associate) with review and quality assurance by Jenny Winnett (Technical Director), all of Artefact Heritage and Environment.

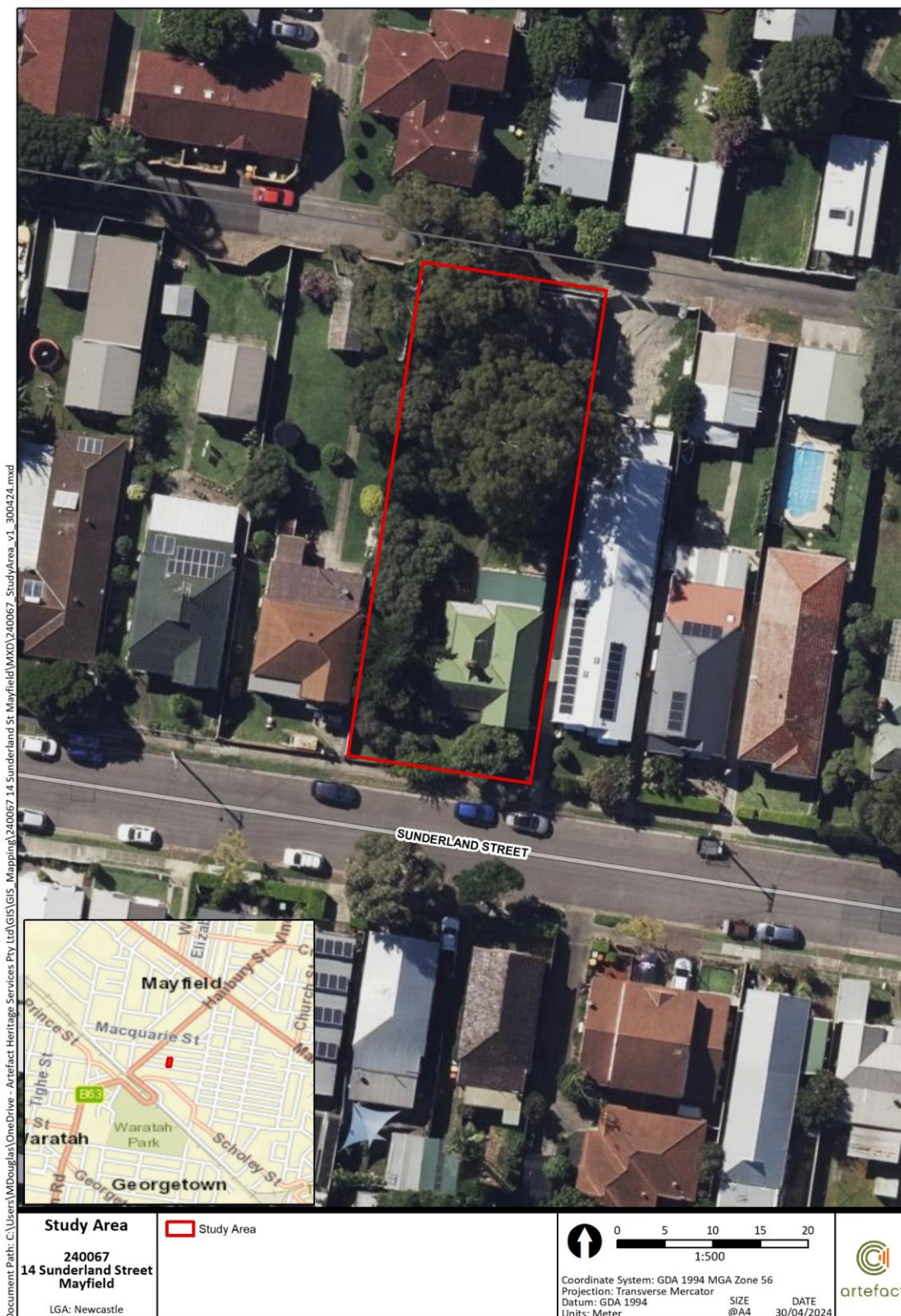


Figure 1: Location of study area showing 14 Sunderland Street, Mayfield outlined in red.



Figure 2: Isometric view of 14 Sunderland Street Mayfield from the Southwest
Source: <https://www.realestate.com.au/property/14-sunderland-st-mayfield-nsw-2304/>

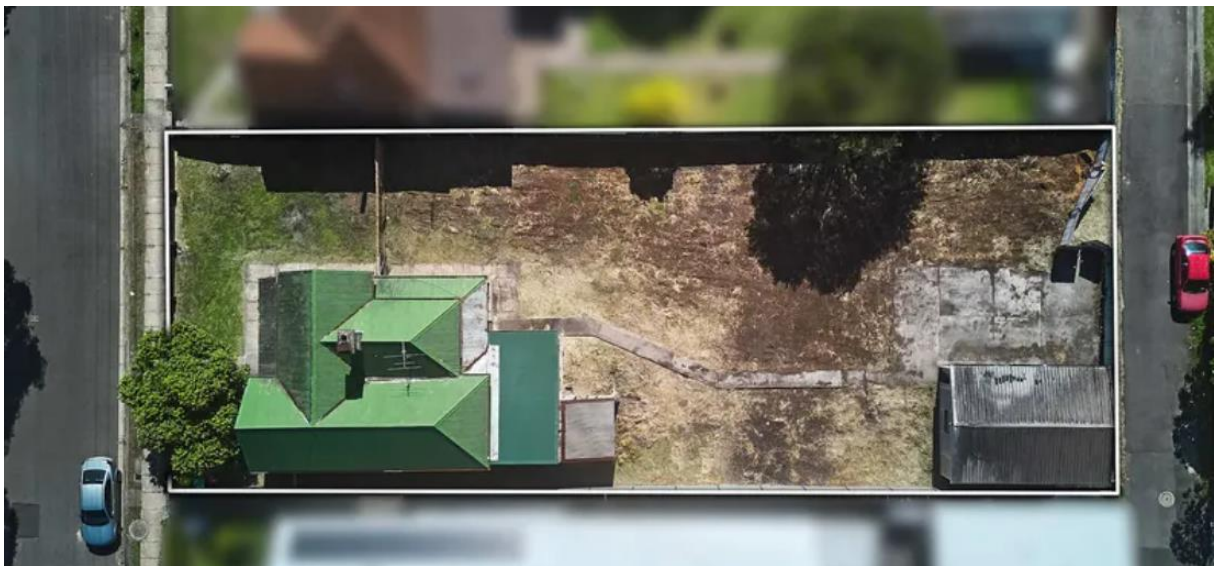


Figure 3: Aerial view of 14 Sunderland Street, Mayfield
Source: <https://www.realestate.com.au/property/14-sunderland-st-mayfield-nsw-2304/>

2.0 STATUTORY AND LEGISLATIVE CONTEXT

2.1 *Heritage Act (NSW) 1977*

The NSW Heritage Act 1977 (Heritage Act) is the primary item of State legislation affording protection to items of environmental heritage in NSW. The Heritage Act is designed to protect both listed heritage items, such as standing structures, and potential archaeological remains or relics.

Under the Heritage Act, 'items of environmental heritage' include places, buildings, works, relics, moveable objects and precincts identified as significant based on historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic values. State significant items are listed on the NSW State Heritage Register and are given automatic protection under the Heritage Act against any activities that may damage or affect its heritage significance.

2.1.1 State Heritage Register

The State Heritage Register (SHR) was established under Section 22 of the Heritage Act and is a list of places and objects of particular importance to the people of NSW, including archaeological sites.

To carry out activities within the curtilage of an SHR-listed item, approval must be sought under a Section 60 of the Act. In some circumstances where works are minor in nature and assessed to have minimal impact on the heritage significance of the SHR-listed item, they can be undertaken under a Section 57(2) Exemption or in accordance with agency or site-specific exemptions.

There are **no items** listed on the State Heritage Register in or within 200m of the study area.

2.1.2 Section 170 registers

Under the Heritage Act all government agencies are required to identify, conserve, and manage heritage items in their ownership or control. Section 170 (s170) requires all government agencies to maintain a Heritage and Conservation Register that lists all heritage assets and an assessment of the significance of each asset. They must also ensure that all items inscribed on its list are maintained with due diligence in accordance with State Owned Heritage Management Principles approved by the Government on advice of the NSW Heritage Council. These principles serve to protect and conserve the heritage significance of items and are based on NSW heritage legislation and guidelines.

There are **no items** listed on a s170 Heritage and Conservation Register in or within 200m of the study area. s170 Heritage and Conservation Register.

2.2 *Environmental Planning and Assessment Act (NSW) 1979*

The Environmental Planning and Assessment Act 1979 (NSW) (EP&A Act) establishes the framework for cultural heritage values to be formally assessed in the land use planning and development consent process. The EP&A Act requires that environmental impacts are considered prior to land development; this includes impacts on cultural heritage items and places as well as archaeological sites and deposits. The EP&A Act requires that Local Governments prepare planning instruments (such as Local Environmental Plans [LEPs] and Development Control Plans [DCPs]) in accordance with the Act, to provide guidance on the level of environmental assessment required.

2.2.1 Newcastle Local Environment Plan 2012

Heritage items listed on the Sydney LEP 2012 are managed in accordance with the provisions of Section 5.10 Heritage Conservation of this LEP. Under Clause 5 of this section of the Newcastle LEP 2012:

(4) 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).

(5) The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or*
- (b) on land that is within a heritage conservation area, or*
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),*

require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

Schedule 5 of the Newcastle Local Environmental Plan 2012 includes a list of items/places of heritage significance within this LGA.

The following **heritage-listed item** is located within 100 metres of the study area and are listed on Schedule 5 of the Newcastle LEP 2012:

- St. John's Presbyterian Church (LEP Item #I257)

2.3 Summary of heritage listings

A summary of the heritage listing is provided in Table 1. The subject site can be seen in proximity to the listed heritage items shown shaded in brown below in Figure 4.

Table 1: Register search results for heritage items within 100 metres of the study area.

Item	Address	Significance	Listing	Place ID	Item Type
Study area	14 Sunderland Street, Mayfield		Not heritage listed		Built
St. John's Presbyterian Church	33A Hanbury Street, Mayfield	Local	Newcastle LEP 2012	I257	Built

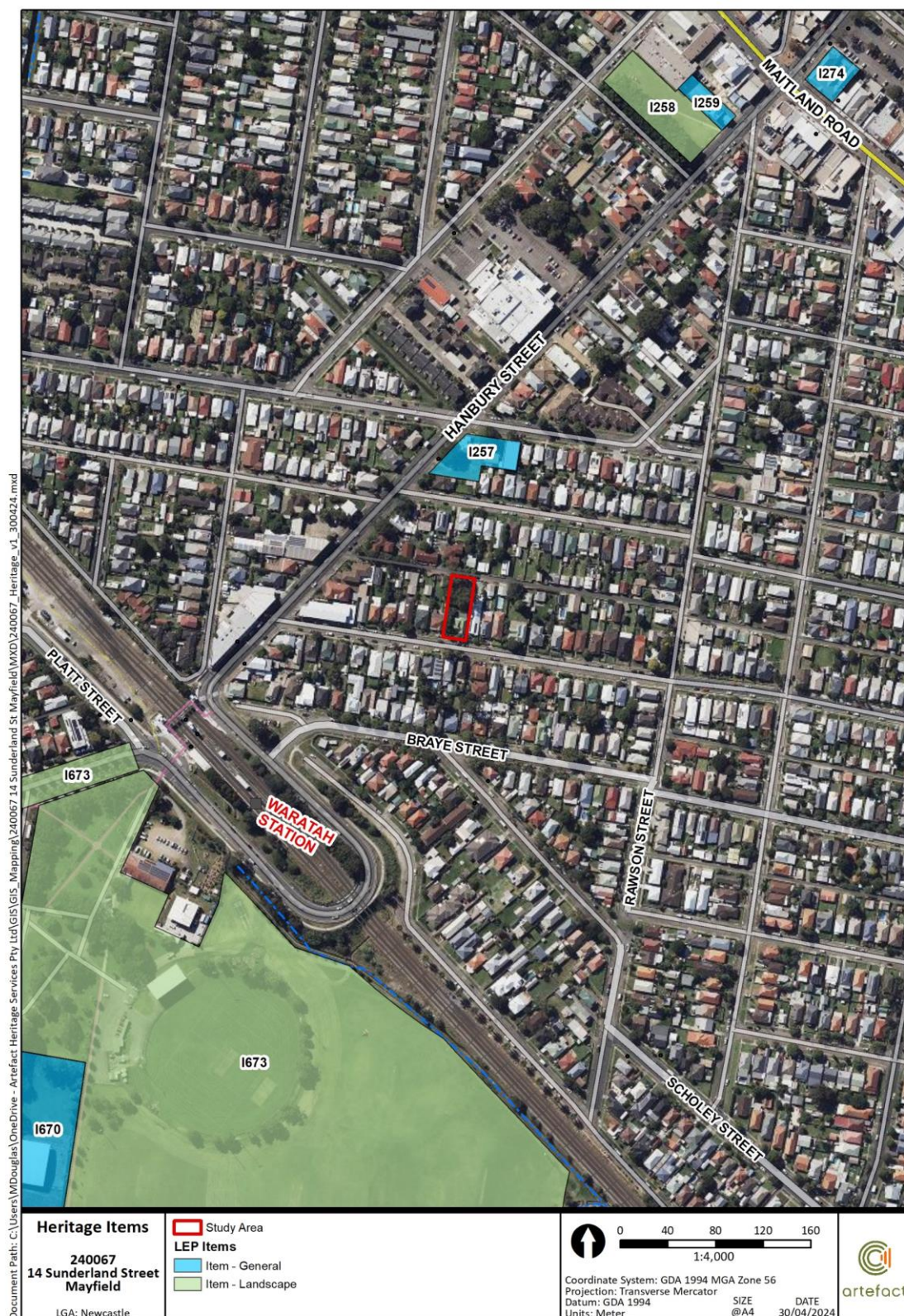


Figure 4: Map showing heritage items in the Mayfield Area shaded in brown. The subject site is outlined in red.

3.0 HISTORICAL CONTEXT

3.1 Aboriginal occupation and European contact

This section provides a brief summary of the history and culture of the peoples of Awaba (Awabakal), the traditional custodians of Country. This section includes information collated from colonial sources and should be read with this in mind.

Note that early accounts reference the 'Awaba' as the name of the Country and group, with 'Awabakal' (meaning 'of the Awaba') used more recently, particularly in reference to people and language. Awaba/Awabakal have therefore been used interchangeably in this report.

3.1.1 Mulubinba and Awaba

The Land is culturally significant to the Aboriginal descendants of the Awabakal people, and they wish to preserve and recover as much cultural heritage history as possible for future generations.

David Ahoy, Lower Hunter Aboriginal Incorporated, 17 August 2022

The Awabakal people are the traditional custodians of the land on which the study area is located and have cared for Country for tens of thousands of years. Awabakal territory traditionally encompasses modern Lake Macquarie, Newcastle, and parts of the southern Hunter Region. Prior to colonisation, the land and waters now known as Newcastle were called *Mulubinba* – meaning 'place of sea ferns' – in the Awabakal language.¹

There is evidence that in the Newcastle area that chert (a flint-like quartz) was mined by local people for use in tool making. A significant number of hand axes and micro-blades have been found by the local Aboriginal community, suggesting that the stone mined in the region was used for a broad range of toolmaking purposes. The stone was cut using traditional methods to shape the rock. These tools and items would have been traded amongst the Awabakal clans as well as with neighbouring Nations. Trading of stone would primarily have occurred locally between Aboriginal groups, including between the Pambalong clan and Wonnarua and Worimi peoples, although it is also expected that trade would have occurred further afield.²

There was a trade system across NSW – a lot of the tuff here is found out at Broken Hill; and Broken Hill silcretes are found up here. The trade system was very important.

Peter Townsend, Awabakal LALC site officer, 1 December 2022

The study area is located on the Lower Hunter Plain, within a shallow basin immediately west of the estuary at which the Hunter River (*Maiyaa*) meets the Tasman Sea.³ This plain was covered in tall open forests of river and swamp oak, broad leaved paperbarks and the occasional cabbage tree palm.⁴ These cabbage trees were used for a range of manufacturing purposes; the tree's fibres were used to make fishing line and nets, and its broad leaves were used for roof thatching.⁵ Varieties of

¹ University of Newcastle Special Collections, 2013. "The many names of Newcastle – Mulubinba." *Hunter Living Histories*, accessed on 8 July 2022 via <<https://hunterlivinghistories.com/2013/08/30/the-many-names-of-newcastle-mulubinba/>>.

² Maynard et al 2021

³ AMBS 2005, pg. 80.

⁴ AMBS 2005, pg. 31.

⁵ Miromaa Aboriginal Language & Technology Centre, 2020. "Awabakal Dictionary: Community Edition," pg. 12.

banksia and tea tree, Sydney golden wattle and blady grass grew closer to the beachfront.⁶ The site was previously a swamp and, though now drained, is a site of mahogany swamp trees, *Eucalyptus Robusta*.

These open forests were a rich source of food for the Awabakal people of the Lower Hunter Plain, providing varied seasonal plant and animal life. The Awabakal cared for Country by practicing fire-stick farming throughout these forests. Fire-stick farming results in reducing fire hazards, facilitates hunting, changing plant and animal populations, and increasing biodiversity.

Sea life has always been one of the most important sources of food for the Awabakal people, and Aboriginal settlement was concentrated around *Maiyaa* and the coast. *Maiyaa* (which means 'snake' in the Awabakal language) provided *munboonkaan* (oysters), *parimankaan* (salmon), *kirul* (mullet), jewfish, prawns, and other marine life.⁷ Awabakal women dived for lobsters and fished using lines and nets, while men generally fished using *kalaara* (spears) made with sharpened stones or shellfish. On occasions when whales would become stranded on the shore, coastal and invited inland peoples alike would gather on the shore to feast for days. The Awabakal used *nauwai* (bark canoes) to skilfully navigate and fish in deeper coastal waters. Hundreds of shell middens found along the foreshores and catchments of the Hunter River and the Tasman Sea attest to thousands of years of sustainable fishing practices and coastal life in the region.

Evidence of well-worn trackways throughout the ridges of the Sugarloaf and Watagan ranges suggests that the mountains have long held special significance to the Awabakal. The Rev Threlkeld noted 'circular erections of stones' which were five- or six-feet diameter and two or three feet high.⁸ These stone structures were of spiritual importance to the Awabakal, who were wary 'of any of these stones being moved, especially the centre one', according to a mid-nineteenth century account⁹.

Aboriginal people across NSW also travelled to Mount Yengo for ceremonies:

The NSW mobs went to Mount Yengo for ceremonies, for a few weeks or who knows how long. And so, what you can see out there are the different types of arts on the rock. You have an escarpment with different styles of art; charcoals, yellow ochres and red ochres. Interesting stuff.

Peter Townsend, Awabakal LALC site officer, 1 December 2022

3.2 Newcastle in the early 1800s

A convict settlement was established at Newcastle in 1801 and from then until 1821 the area was constrained with development limited to the area east of Church Hill. A government farm was located near Honeysuckle Point and was one of the few developments established outside of the main settlement, its location being approximately 1 ½ miles to the west.

3.2.1 Early settlement 1823-1853

In 1819, Governor Macquarie proposed to expand land grant opportunities by allowing free settlers to occupy land in Newcastle and the Hunter Valley, signalling the closure of the Newcastle penal settlement in 1822.¹⁰ In 1823, Henry Dangar produced a new survey of Newcastle and its port with

⁶ AMBS 2005, pg. 31.

⁷ AMBS 2005, pg. 33.

⁸ Rev. Threlkeld quoted in Gunson 1974: 65-66.

⁹ W.A. Miles quotes in Gunson 1974: 65-66.

¹⁰ Turner, J. W. 1977. Coalmining and Manufacturing in Newcastle, 1797 - 1900. (Doctor of Philosophy). University of Newcastle, Newcastle.

the purpose of creating an improved town plan where previously the convict settlement had been situated.¹¹ Thereafter, applications to occupy town land commenced.

Until the 1850s, Brown Street was the western-most street of the Newcastle town settlement. The city centre then expanded with the development of commercial buildings and associated activities. Blane Street (later Hunter Street West) was preferred by businessmen, such as butchers, shoemakers and hoteliers, who purchased the lots at higher prices amongst the residences and residential-commercial premises.¹² Land along the harbour and Hunter Street developed slowly as settlers strived to create economic abundance from their land grants. Government owned coalmining dominated Newcastle, and the decline in industries such as lime burning and timber getting fuelled the growth of coal exports and the industries associated with mining.

3.2.2 Australian Agricultural Company and the expansion of settlements

The Australian Agricultural Company (A.A.Co.) was established in 1824. In 1825, the British Government granted a 2,000 acre lease to the A.A.Co., incorporating iron and coal mines, immediately west of the town of Newcastle.¹³ This grant prohibited sale or subdivision, which restricted any development of the town to the west of Brown Street.¹⁴ However, from 1853, subdivision of the A.A. Co. land was permitted, and the sales boosted the development and expansion of Newcastle's township. With the expansion of land holdings further west along Blane Street, plus its proximity to the harbour, roads and railways, interest in the Newcastle West area grew. When the government approved lease of the mines to private interests, transport systems were developed privately to service these, and the Great Northern Railway between Newcastle and East Maitland was begun in 1894.¹⁵ As the railway network and expansion of Newcastle's coalfields developed, the burgeoning coal industry supported Newcastle's growth throughout the late 19th century.

3.3 Early settlement in Mayfield and Waratah

Following Henry Dangar's survey of Newcastle in 1822, many villages began to develop around the expanding coalfields and railway systems throughout Newcastle. The A.A. Co was provided with a government Charter for acquisition of 1,000,000 acres of land to be used for agricultural and pastoral purposes, as well as an additional 2,000 acres adjacent to the township of Newcastle, for coalmining.¹⁶

One of the first settlers in the Mayfield/Waratah district was John Laurio Platt, a farmer and coal miner who arrived in Newcastle around 1821. He was promised a 2,000 acre land grant along the Hunter River, and chose land situated approximately six miles to the north of Newcastle. In 1823 his convict labourers cleared 40 acres to the northeast to build a house there.¹⁷ Platt established agricultural crops, a mill and undertook coal mining within the land grant.¹⁸ He died in 1836 and in 1839 Platt's land was sold for £6000 to the A. A. Co. by his son, Frederick William Platt (Figure 5). Regarded as one of the key founders of the Mayfield/Waratah area was Thomas Grove. A portion of 60 acres of land in the Waratah area originally granted to George Dent in 1832, was then sold to Simon Kemp (between 1832 and 1843), a local businessman who owned property and small ketches which traded between

¹¹ Suters Architects, 1997. *Newcastle City Wide Heritage Study 1996-97. Volume 1: Study Report and Recommendations.*

¹² Higginbotham, 2015. *Newcastle Archaeological Management Plan Review.*

¹³ Turner, 1977.

¹⁴ Higginbotham, 2015.

¹⁵ Suters Architects, 1997.

¹⁶ Braye, T.A. 1944. *History of Waratah, NSW.* Newcastle and Hunter District Historical Society and published in the *Journal and Proceedings.* Vol.1, p.11.

¹⁷ Keating, J, 2016, *Waratah & Mayfield: nineteenth century industrial towns,* p.1.

¹⁸ Bonhomme Craib & Associates, and Rosen, S, 1996, *An assessment of the Historical and Archaeological values of BHP land at Tourle St., Newcastle.*

Newcastle and Sydney. In 1843 Thomas Grove purchased this land for £220 and undertook farming and timber-getting activities there. The 60 acres of land was partly cleared and was bounded by the roads now called Turton Road, Platt, Bridge and High Streets. Around 1857, several other men who were timber-getters for the Great Northern Railway and Wallsend Co. Railway settled in the area nearby in Smart and Bridge Streets. Living in makeshift dwellings, they were the families of Drinkwater, Braye, Payne, Ellis and Jackson. In 1860, Thomas Grove went looking for coal in the hills nearby, located at what is now the base of Braye Park, and successfully revealed an eight-foot-thick coal seam. Grove subsequently supported the establishment of the Waratah Coal Company, and the mine and associated railway was developed. In 1862 the first shipment of 24 bags of coal mined from the Waratah Coal Company pit left Newcastle's port. In 1863, Grove then subdivided his 60-acres into smaller allotments, with many miners and business owners buying the land and settling with their families (Figure 8).

).¹⁹ That land remained untouched until 1885 when the A. A. Co. determined to subdivide it for sale as areas of acre blocks.

Regarded as one of the key founders of the Mayfield/Waratah area was Thomas Grove. A portion of 60 acres of land in the Waratah area originally granted to George Dent in 1832, was then sold to Simon Kemp (between 1832 and 1843), a local businessman who owned property and small ketches which traded between Newcastle and Sydney.²⁰ In 1843 Thomas Grove purchased this land for £220 and undertook farming and timber-getting activities there. The 60 acres of land was partly cleared and was bounded by the roads now called Turton Road, Platt, Bridge and High Streets.²¹ Around 1857, several other men who were timber-getters for the Great Northern Railway and Wallsend Co. Railway settled in the area nearby in Smart and Bridge Streets. Living in makeshift dwellings, they were the families of Drinkwater, Braye, Payne, Ellis and Jackson.²² In 1860, Thomas Grove went looking for coal in the hills nearby, located at what is now the base of Braye Park, and successfully revealed an eight-foot-thick coal seam. Grove subsequently supported the establishment of the Waratah Coal Company, and the mine and associated railway was developed. In 1862 the first shipment of 24 bags of coal mined from the Waratah Coal Company pit left Newcastle's port.²³ In 1863, Grove then subdivided his 60-acres into smaller allotments, with many miners and business owners buying the land and settling with their families (Figure 8).

In 1848 Charles Simpson, Collector of Customs at Newcastle, settled on 35-acres in Waratah. The suburbs name has been attributed to him on account of the waratah plants that could be seen growing on his land. Simpson and several other grantees, such as Peter Crebert and William Thomas Brain, proceeded to sell their land in smaller blocks, resulting in further settlement of the area into the 1860s.

Progressive subdivisions in the area, including the subject site, can be seen up to 1862 in Figure 5 to Figure 8. The settled areas of Waratah had been intersected by the Newcastle to East Maitland railway line in 1857 and the construction of Waratah Station.²⁴ The area to the south of the railway became known as the village of Waratah. The area to the north was named North Waratah, now Mayfield. The municipality of Waratah was proclaimed in 1870.²⁵ Already present were a public school, two smelting works, and two stone quarries. In 1888, with the subdivision of land, John Scholey named his subdivision Mayfield, after his daughter May.²⁶

¹⁹ Newcastle Morning Herald and Miners' Advocate (NSW: 1876-1954), *Waratah's First Settlers: Mr. Braye reviews early history*. 3 October 1936, p.5.

²⁰ Braye (1944), p.12.

²¹ Cudden, M, 2019, A History of Waratah (Mayfield) through The Newcastle Chronicle: 1861-1871, p.7.

²² Braye (1944), p.13.

²³ Turner, J.W. (1977), *Coalmining and manufacturing in Newcastle, 1797-1900*.

²⁴ Keating (2016), p. 6.

²⁵ Braye (1944), p.16.

²⁶ Keating (2016), p. 65.

By the 1910s Mayfield was considered a desirable suburb to live in because the steam tram travelled through Mayfield on the route to Newcastle.

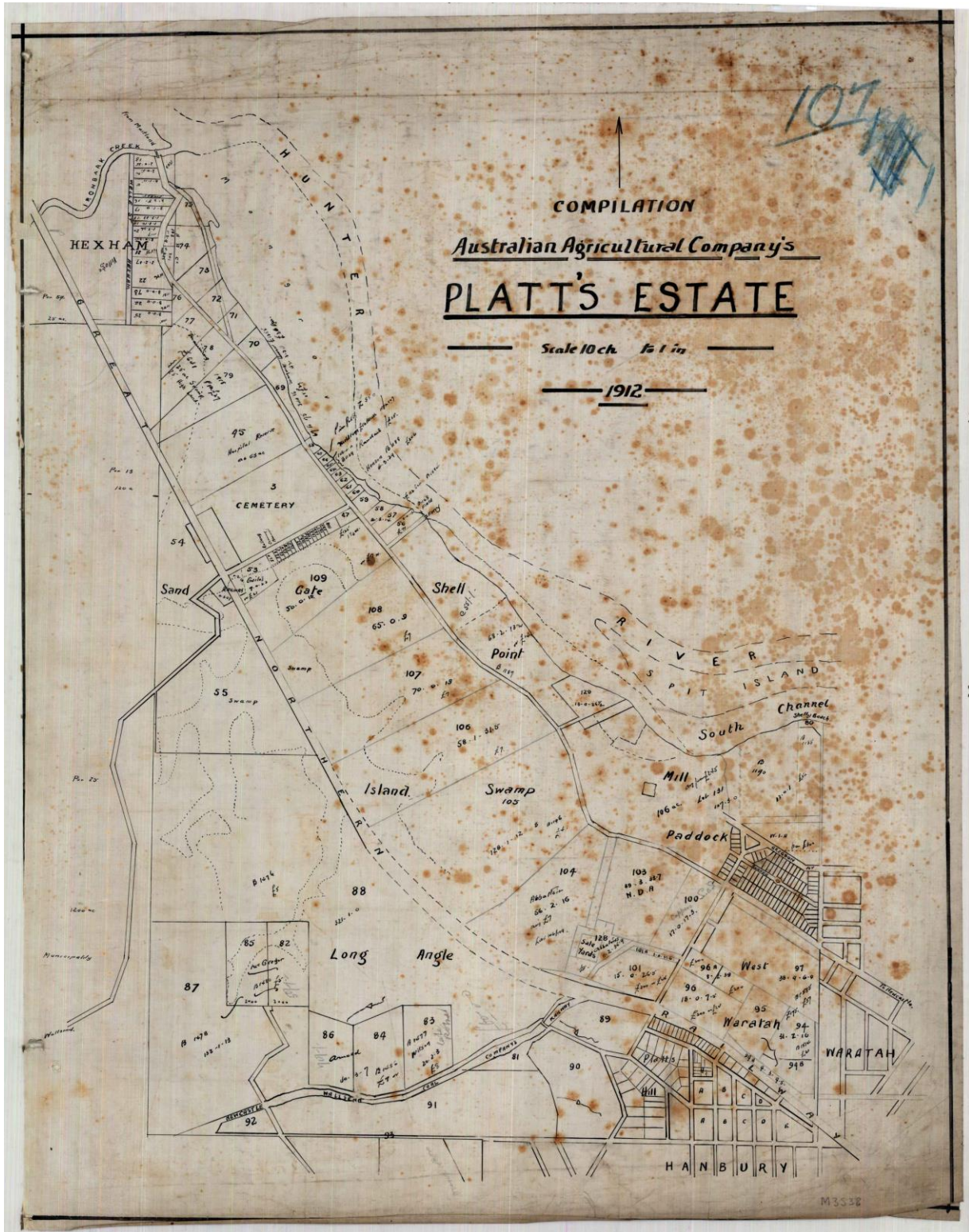


Figure 5: 1912 Compilation of Australian Agricultural Company's Platt's Estate (Source: Living Histories, University of Newcastle, Ref. M3538)

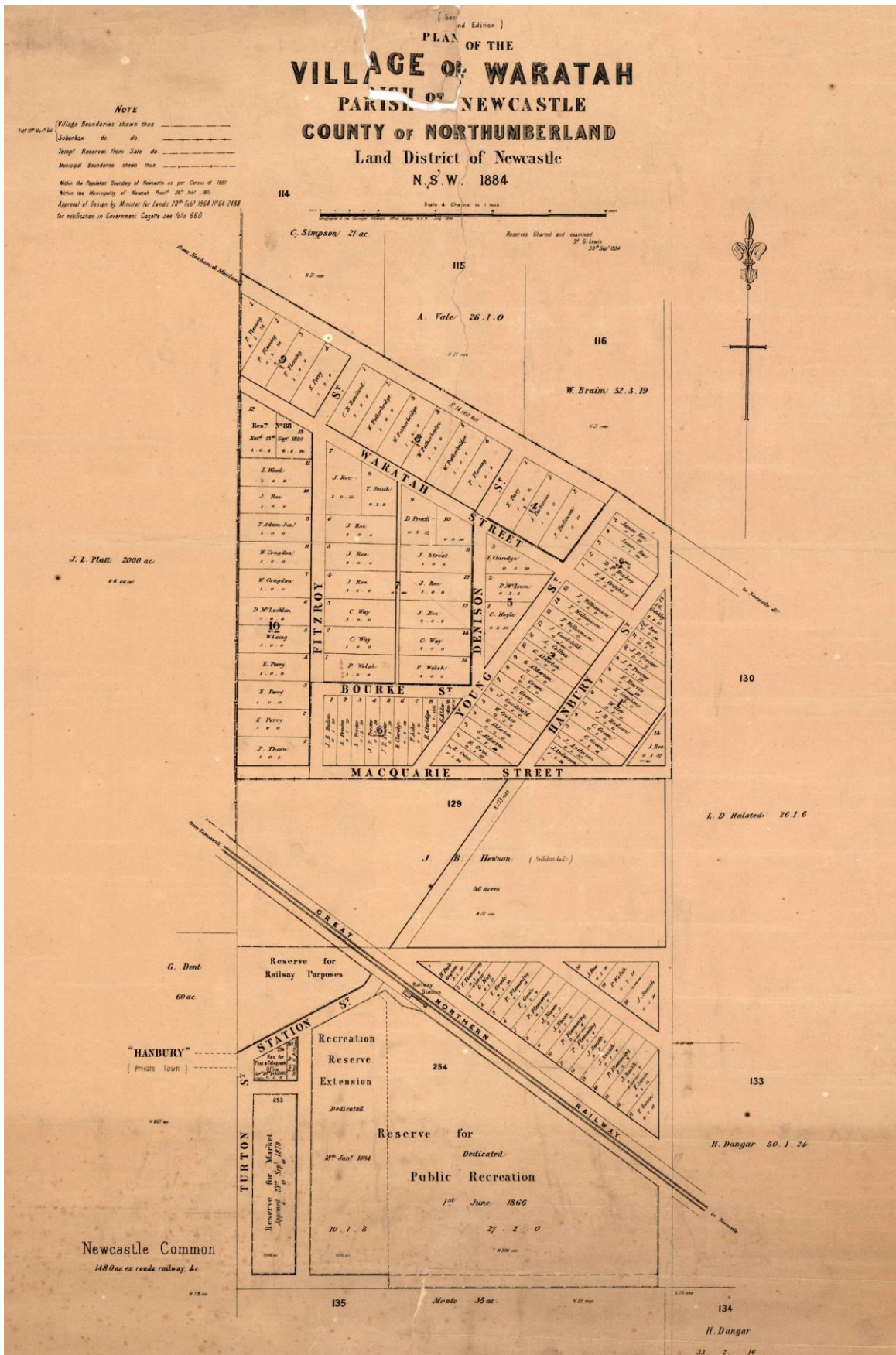


Figure 6: 1884 Plan of the Village of Waratah, Parish of Newcastle, County of Northumberland showing subdivisions surrounding the land grant held by J.B. Hewson in which the subject site is located.

3.3.1 Development of the study area

3.3.1.1 John Butler Hewson

The study area was originally part of 36-acres granted to John Butler (J. B.) Hewson in 1834 (Figure 8).²⁷ Hewson had been transported to Australia on the Mangles in 1820.²⁸ In 1827 he was appointed Chief Constable at Newcastle. He married Elizabeth Hannell in 1828, becoming step-father to her children, including James Hannell, who would become the first Mayor of Newcastle.²⁹ Hewson was a Gaoler from 1832-1835, then he proceeded to become Licensee for several hotels in Newcastle and Sydney, including the Union Inn (Hunter and Bolton Streets), Rose and Crown Hotel (York Street, Sydney), and the Wool Pack Inn. In the 1870s he is listed on the electoral roll as living in Newcomen Street, where he would pass away in January of 1874.³⁰

There is little evidence to indicate that Hewson developed his land during his ownership, and early photographs indicate that his original grant remained vegetated well after the surrounding areas had been subdivided and developed (Figure 7).

3.3.1.2 James Roe

From 1862, James Roe purchased land in Mayfield and Waratah, calling his subsequent subdivisions called Newbottle, Houghton-le-Spring, and Monwearmouth. Roe made plans to subdivide the land north from Waratah Station and the Great Northern Railway. The 1862 map in Figure 9 shows the subject site as being part of the subdivision plans for Houghton-le-Spring (Section D). In 1891 the subdivision of Roe's Houghton-le-Spring continued (Figure 12).

3.3.1.3 Edward Greenlea Eason

Edward Eason purchased the study area, as it currently exists, from James Roe in 1891. Eason is listed as living in Islington c.1898 and in Wickham in 1890. In 1898 Eason filed for bankruptcy. Contemporary newspaper articles refer to him as a 'former builder and contractor, but now a collector.'³¹

3.3.1.4 Thomas Alfred and Sarah Braye

Records show that the Braye family arrived in Newcastle in 1855. Thomas Alfred Braye (Snr.) arrived in Newcastle from Cornwall in March 1855, aged seven years, with his parents and sister on the ship Blackfriars. His father was initially involved in farming at Rosebank near Hinton, but relinquished farming to move to Waratah in 1857, where he worked for many years in the Cornish Copper Mining Company. In 1869 he married the eldest daughter of Mr James Inglis of Musselburgh Scotland. He had three daughters and four sons and, the eldest of whom was Thomas Alfred Inglis. Braye (Jnr). T.A Braye (Snr.) passed away in 1923 aged 76.

Thomas Braye (Jnr) as born at Waratah in 1870 and went to school there. He began work in Sydney but returned to Newcastle to study as an articled clerk. He became a prominent solicitor, who participated in many aspects of civic life of Waratah including occupying the role of Lord Mayor in 1902 and 1903. He was reported to be the first "native" mayor (born in Waratah).

He married Sarah Williams of Tarro and had five daughters and two sons. The property at 14 Sunderland Street was registered in the name of Sarah Braye in May of 1902 and, according to the Hunter District Water Board rates books, occupied by a T. A. Bray by the 1 July 1902.³² This is the first

²⁷ Classified Advertising (1834, October 28). The Sydney Gazette and New South Wales Advertiser (NSW:1803 - 1842), p.4. Retrieved April 1, 2024, from <http://nla.gov.au/nla.news-article2217411>.

²⁸ Convict Records <https://convictrecords.com.au/convicts/hewson/john-butler/100144>. This record is one of the entries in the British convict transportation registers 1787-1867 database compiled by State Library of Queensland from British Home Office (HO) records which are available on microfilm as part of the Australian Joint Copying Pro.

²⁹ Braye (1944).

³⁰ *Australian Town and Country Journal*, 10 January 1874, 'Family Notices' p. 35

³¹ *Newcastle Morning Herald and Miners' Advocate*, 23 September 1898, 'Newcastle Bankruptcy Court' p.6

³² Hunter District Water Rate books, access via staff at the Newcastle Local History Library, April 2024

time the rates books indicate the property contains a house. 1902 was the year that the Thomas Alfred was elected mayor of Waratah. It is likely that the young (growing) family lived in the dwelling as it was close to Waratah Station as Thomas had recently established his own legal practice in Court Chambers King Street, Newcastle.

By 1902 the Braye family were no longer residents of 14 Sunderland Street, although Sarah Braye remained the owner until 1908. Between 1902 and 1908 the property was tenanted to Lancelot Roper. In 1908 the Brayes sold the property to Alfred Edmund Way, a railway employee.

The family moved to Teralba in 1913 but Thomas Alfred continued to be involved in the Waratah Community with the Masonic Lodge, in which he was a Grand Junior Warden and a founding member of the Waratah Bowling Club.

The following is an extract from The Newcastle Sun: *People We Know Popular Solicitor Mr. T.A.I Braye* Monday 19 March 1923:³³

A quiet, telling, and sincere personality, allied with a thorough understanding of human nature, has made Mr. Thomas Alfred Inglis Braye one of the most popular citizens of Newcastle.

Born in Waratah in 1870, his parents being among the first settlers in the suburb, he received his earliest education at the Waratah public school, and afterwards, through his own efforts, entered St. James' school, which is now known as the Church of England Grammar School, North Sydney. At an exceptionally early age he matriculated, and entered the office of the late Mr. H. J. Brown. His marked ability made a strong appeal to Mr. Brown, and he was subsequently articled to him. From here he was admitted as a solicitor in 1895.

For three years he remained with Mr. Brown before starting practice for himself, which he did in 1899 in the Court Chambers, King-street, In a very short time he became one of the best-known solicitors of the north. After a few years of practice, he took Mr. H. M. Cohen into partnership, and moved to larger offices in Bolton-street, where the well-known partnership still exists.

MAYOR OF WARATAH

Mr. Braye, from a very early age, took a keen interest in all movements to improve Waratah, and was one of the youngest aldermen to be elected to the council. He was always looked upon as one of the most able men to represent the ratepayers of this municipality.

He filled the mayoral chair on several occasions. There remain many marks of his work in this suburb. Up to ten years ago Mr. Braye remained in Waratah, when he re-moved to Teralba, where he still resides.

Mr. Braye has always been a student. He is a successful student of French literature and the ancient history of all countries, and has an exceptionally interesting library, containing the works of old writers. Some of the old French works in his possession were never published. Many of the Australian histories in his library are invaluable, and from these books he has gained knowledge far above that of the average man.

STUDENT AND SPORT

Few men know more about Australia than he. 'The more I read the more I must read,' he says. 'It is one of my greatest recreations. I love it better than most things in life.'

Mr. Braye is also a bowling enthusiast, and is no mean player. He was one of the founders of the Waratah Bowling Club, of which he is still a member. He is a prominent Freemason.

That Mr. Braye is a successful man few can deny, and he owes his success to his own work and ambition. At times his fight has been an uphill one, especially in his young days, but was born with the true spirit of philosophy, which will carry him far.

³³ The Newcastle Sun: People We Know Popular Solicitor Mr. T.A.I Braye Monday 19 March 1923. Accessed via trove.nla.gov.au



Figure 7: View of Waratah (not dated, but likely early 20th century) by Ralph Snowball with approximate location of Hewson's original land grant arrowed. Source: Hunter Living Histories, Ralph Snowball collection.

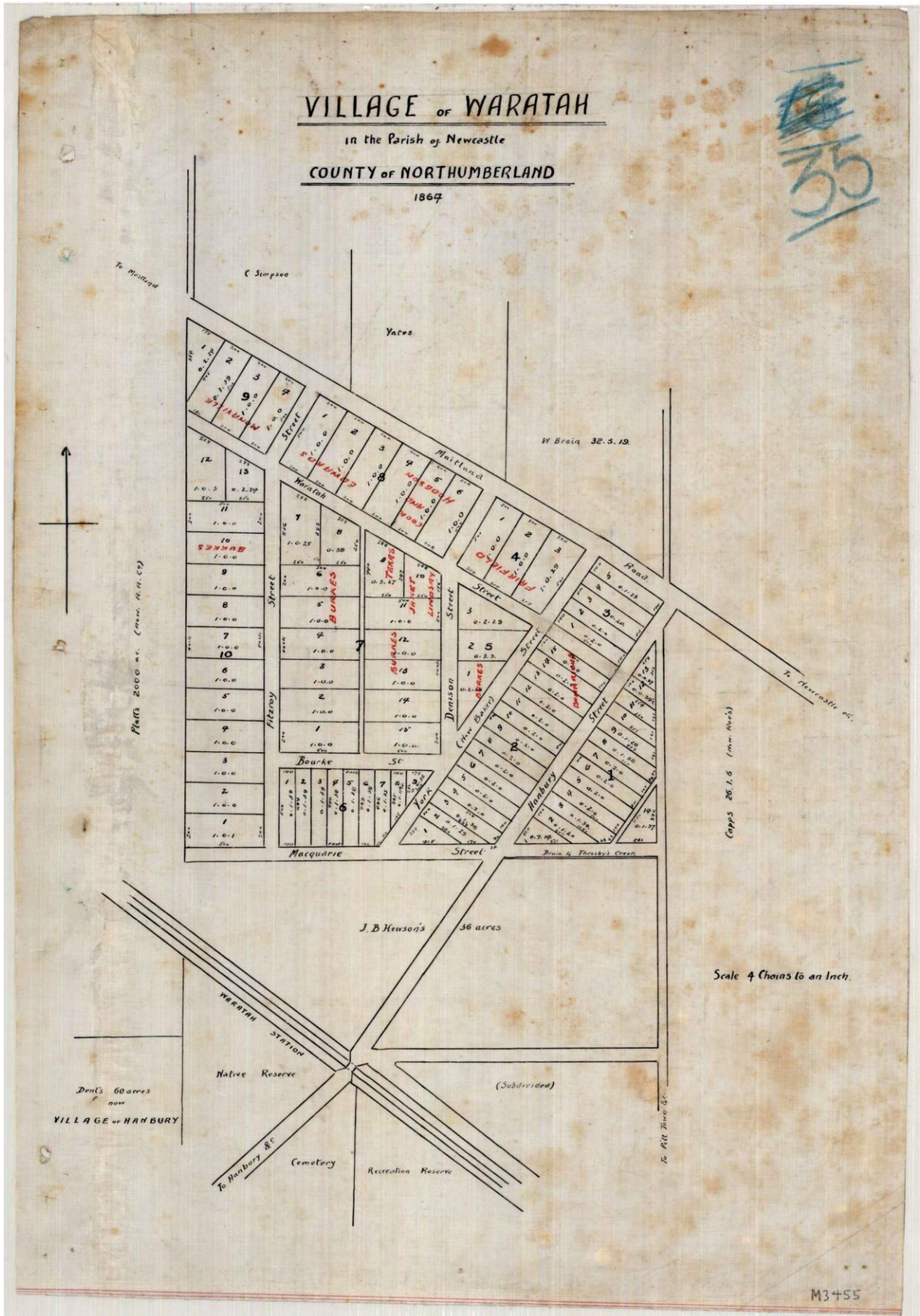


Figure 8: 1864 Village of Waratah in the Parish of Newcastle, County of Northumberland (Source: Hunter Living Histories, Ref. M3455)

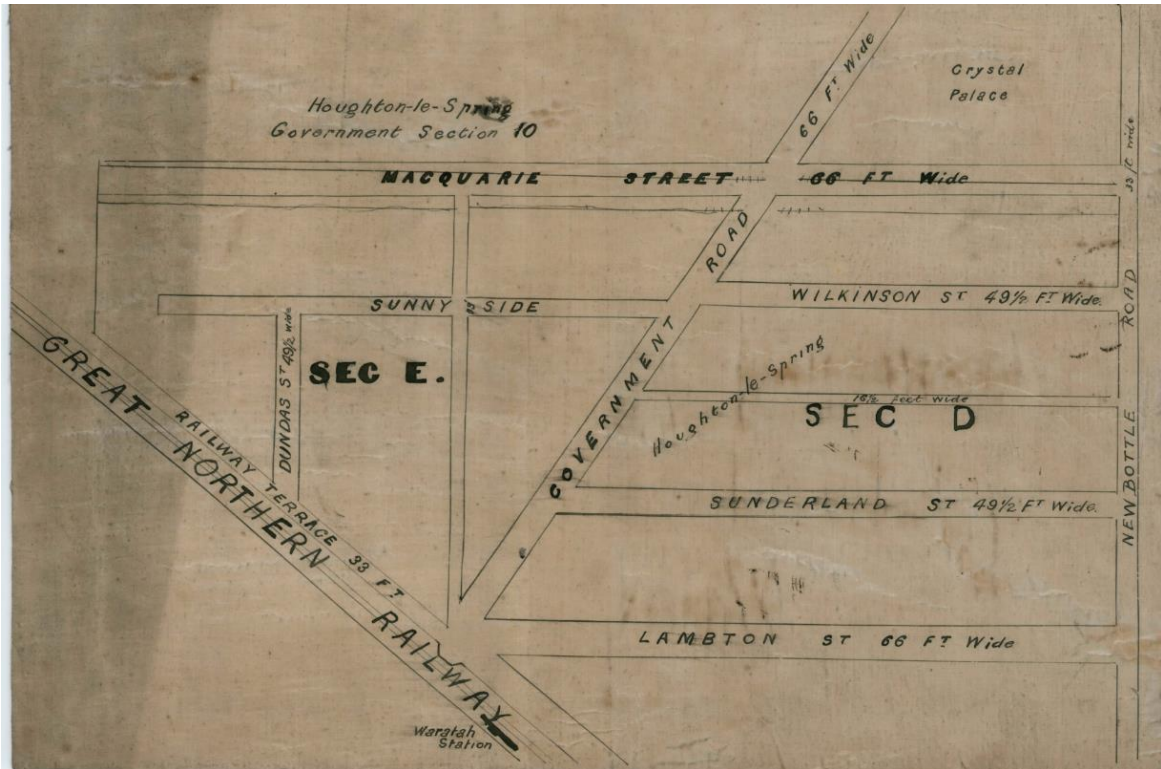


Figure 9: n.d. Map of Waratah showing Sections E and D and part of the Great Northern Railway, Newcastle - Australian Agricultural Company Limited (Source: Australian National University, C265, Cat. No: 811.254)

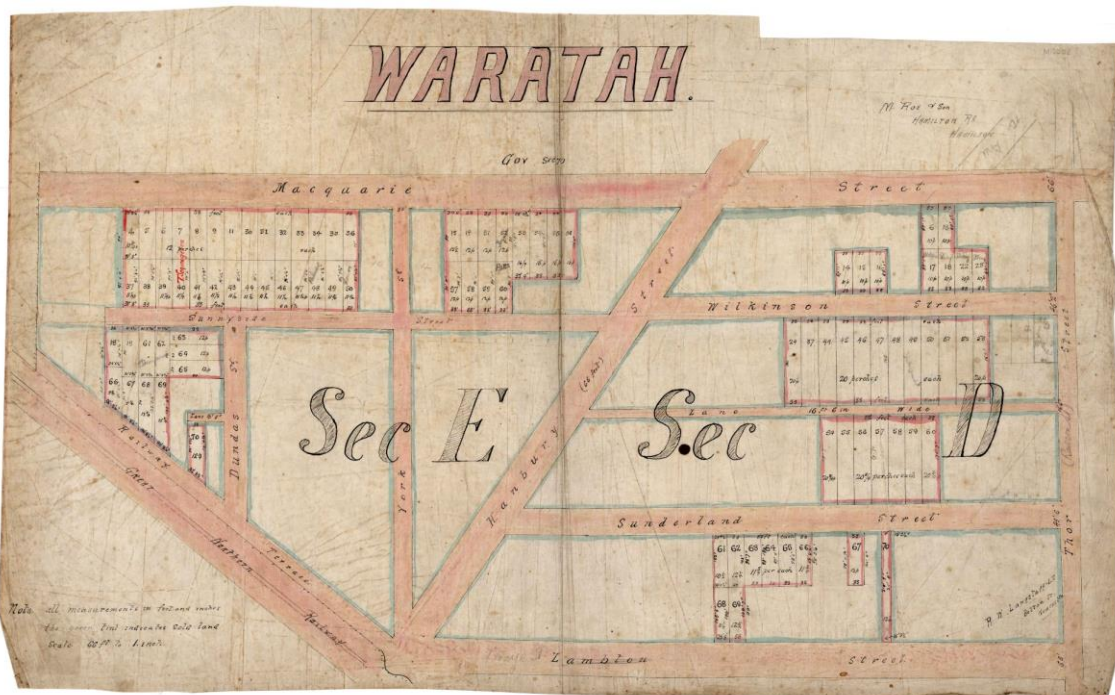


Figure 10: n.d. Subdivision plans of Waratah, M. Roe and Son Hamilton R.W. Langstaff (Source: Living Histories, University of Newcastle)

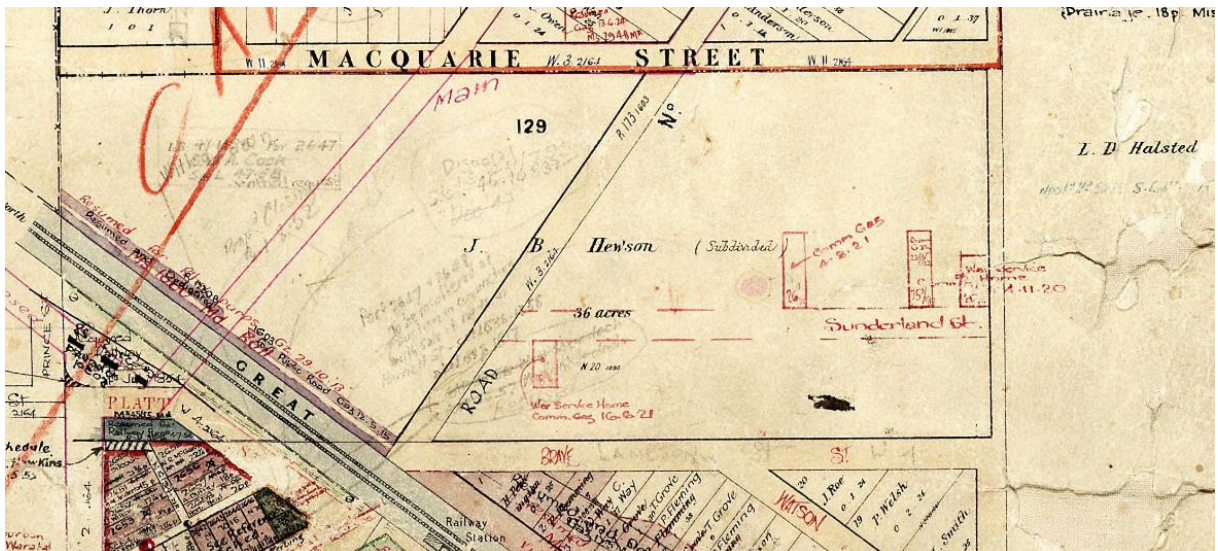


Figure 11: 1884 Parish plan showing Sunderland Street as a dotted red line. The study area has not yet been purchased. Source: Historical Land Records Viewer

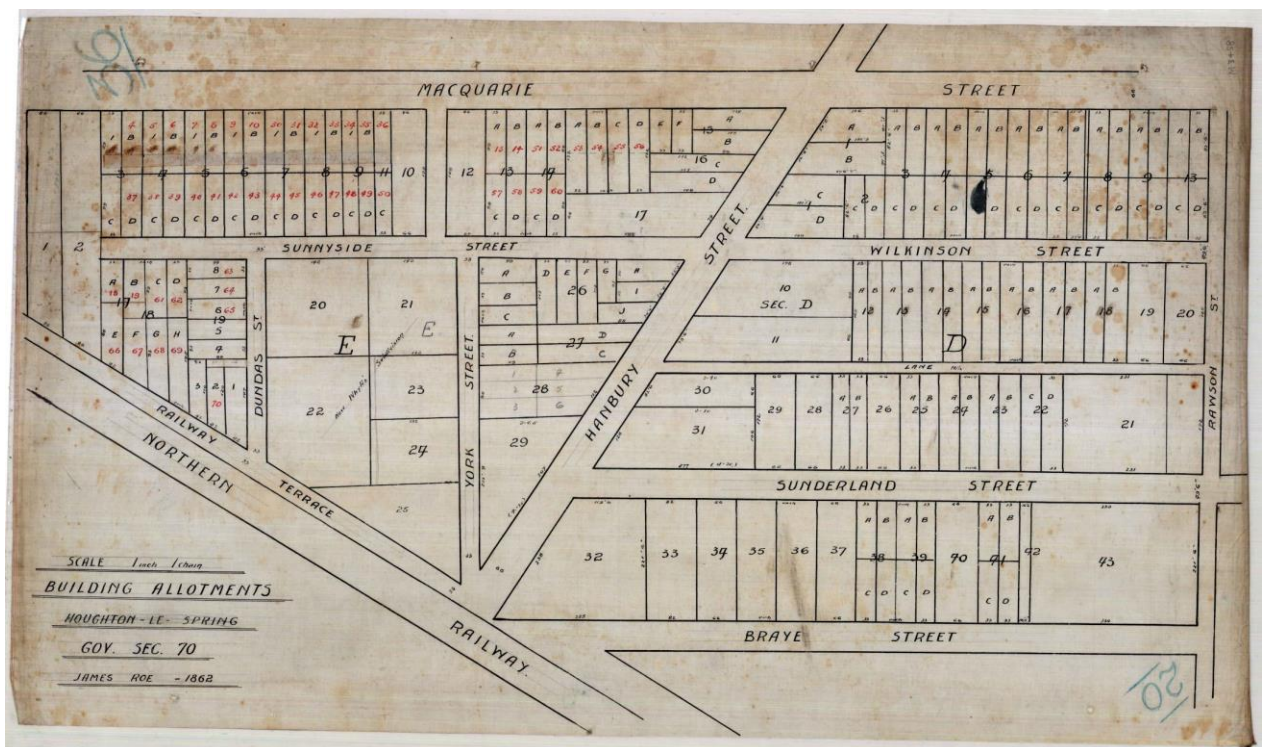


Figure 12: 1862 land subdivision, Waratah and Mayfield NSW (Source: Living Histories, University of Newcastle, M3458)

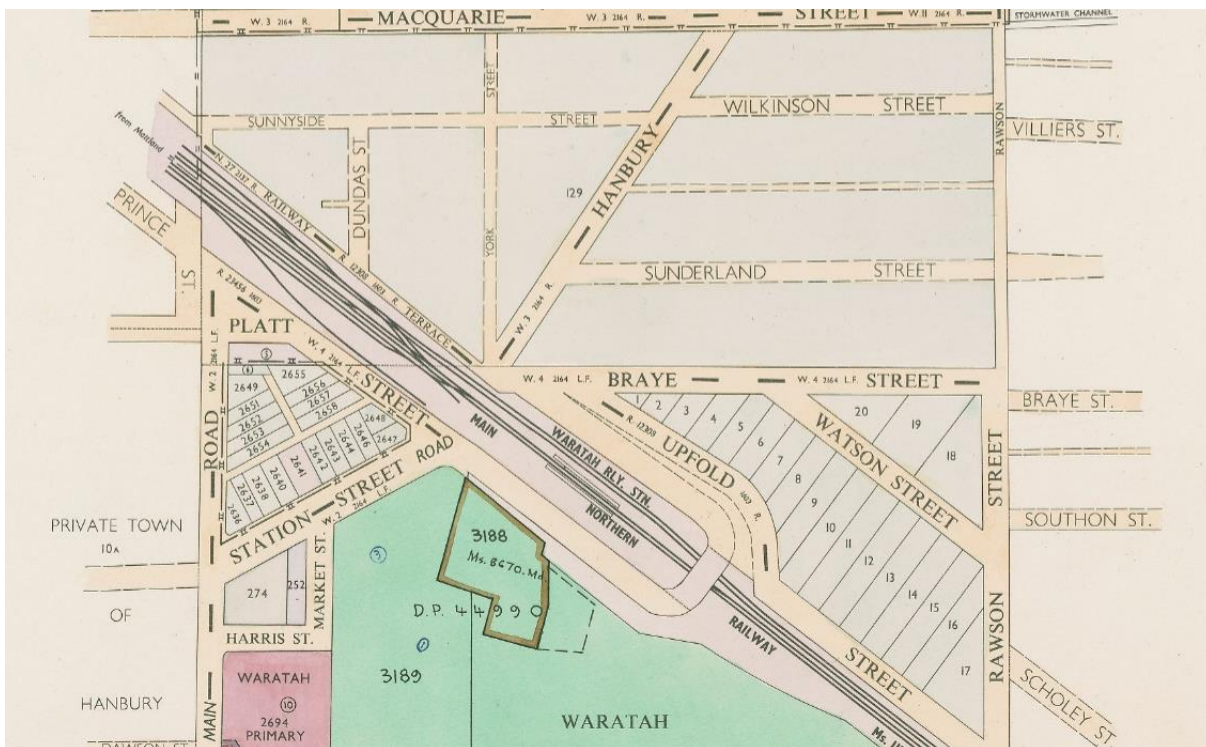


Figure 13: 1971 Charting Map of the village of Waratah and adjoining lands showing Sunderland Street (Source: Historical Land Records Viewer).



Figure 14: Detail from Hunter District Water Board Plan (Sheet 175) showing 14 Sunderland Street in 1902 (Source: Living Histories, University of Newcastle)



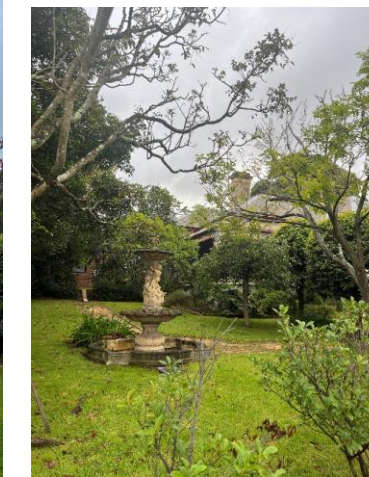


Figure 15: Photograph of the front of 14 Sunderland Street c.1954-1964 (Source Local Heritage Item Community Nomination. 10/02/2023).

3.4 Comparative analysis

The following provides a comparison of the 14 Sunderland Street building with other similar buildings in Mayfield and nearby suburbs in the Newcastle LGA, which are listed as items of Local Heritage Significance in Schedule 5 Environmental Heritage in the Newcastle LEP 2012

Table 2. Comparative Analysis

Address	Heritage Listing Description and Significance
	<p>No current heritage listing.</p> <p>Former residence of the prominent Mayfield citizen Thomas Braye.</p> <p>Mid Victorian single storey brick residence with rendered wall finish on the front elevation and decorative quoining on the corners.</p> <p>Windows and sills have decorative mouldings. Original roof form and retained cast iron verandah posts.</p>
<p>14 Sunderland Street, Mayfield, 2023</p>	
	
<p>2 Pitt Street, Mayfield</p>	<p>Burrandulla Newcastle LEP I277</p> <p>Built for John Ritchie who was the Manager of Hudson Bros.</p> <p>Single storey stucco wall finish with faceted bay windows facing street frontage. Windows to bay are round arched with decorative mouldings over. The eaves have decorative brackets under a hipped roof structure with slate tiles. Dominant stuccoed chimney tops. Front verandah is supported by low wide arches. Cast-iron fringing and bracketing to verandah. Interiors are also substantially intact.</p> <ul style="list-style-type: none"> • Associated with prominent local citizen • Demonstrating the development of social class and economic growth of the region • An important element within the streetscape • Interiors of interest <p>Current use: Private residence</p>

Address

Heritage Listing Description and Significance

**Burgman House**
Newcastle LEP I278

Two storey cement rendered building with segmented arches to windows and main entry door. Defined sill projecting and emphasising front main windows. Balcony to upper level supported on slender posts with horizontal timber weatherboards. Roof with corrugated metal sheeting over a simple hipped structure.

- Possibly associated with prominent local citizen
- An important element within the streetscape with interiors of interest

Current use: Affordable student accommodation



4 Pitt Street Mayfield

Address

Heritage Listing Description and Significance


Mayfield House
 Newcastle LEP I262

John Scholey owned much of the land around Mayfield, and the suburb was named after his daughter, May. This house, often referred to simply as Scholey's House, was constructed for him in the late 19th century. He was also at one time an alderman and mayor of Waratah. Bought by Mayfield Baptist Homes Trust in the 1950's and became a hostel for industrial apprentices, named in honour of Essington Lewis, former chairman of BHP.

Substantial two storey building in decorative rendered masonry with tiled hipped roof. Verandahs have been enclosed and modern buildings constructed immediately adjacent to it, which obscure some of it's features. Includes some mature trees in garden.

- Demonstrates the growth and development as an attractive residential area in the late 19th and early 20th century.
- Internal fabric of note

Current use: Affordable accommodation



6 Highfield Street, Mayfield



21 Highfield Street, Mayfield

Winhara
 Newcastle LEP I263

Two storey stucco wall finish with two storey bay window facing streets. The windows to the bays have both rounded and segmental arch with decorative label moulds over. The verandahs and balconies have slender cast-iron posts and panels. Steep gabled roofs with decorative "lace-like" bargeboards and slate roofing. Wood turned finials to gable ends.

- Reputably one of the oldest surviving houses in Mayfield
- Internal fabric of note

Current use: Private residence

Address

Heritage Listing Description and Significance



61 Crebert Street, Mayfield

Ingall House

Newcastle LEP I285

Two storey late Victorian villa of brick with decorative rendering. Iron lace on upper balcony. Extensively renovated inside but still retains cedar doors, staircase, original fireplace and coloured glass fanlights.

- Reputably one of the oldest surviving houses in Mayfield
- Internal fabric of note

Current use: Private residence



143 Crebert Street, Mayfield

Wincourt

Newcastle LEP I1249

Built for William Arnott and in 1898 was sold to Issac Winn. In 1921 the building was acquired by the Church of England and used as a Girl's Home. Later it was bought by the Methodists and used as an Old Aged Peoples Home.

Single storey masonry building with slender cast-iron posts supporting roof over verandah and decorative cast-iron panels and brackets. Segmental arched windows and fanlight to main entry door. Formal path leading to house.

- Associated with prominent local family. Significant as part of the group of substantial and early houses along this section of Crebert Street.
- Internal fabric of note.

Current use: Private residence



41 Kerr Street, Mayfield

Glen Airlee

Newcastle LEP I1286

A good example of this architectural style not well represented in this area. Associated with prominent local citizen. An important element within streetscape. Internal fabric of note.

Single storey facebrick work building with flying gable and double decorative timber brackets. Elaborate timber work to gable end and fringing to front verandah. Single hand rail connecting timber posts to verandah. Predominantly hipped roof with terra cotta roof tiles broken back roof to verandah and vented eye-lid to roof space. Elaborate Gothic style chimney top.

Address

Heritage Listing Description and Significance



18 Eddy Street Hamilton



14 Eddy Street Hamilton



10 Eddy Street Hamilton



4 Eddy Street Hamilton

4, 6, 8, 10,12, 14,16,18 Eddy Street Hamilton

Newcastle LEP I129, I130, I131, I132, I133, I134, I135

A residential group, originally all identical, which despite varying degrees of modifications, remain homogenous group. The houses were built during the transitional, late Victorian period when ideas of Federation were gaining momentum.

The eight houses have front verandahs defined by cast iron columns, lace frieze and skillion roof, and a projecting parlour with decorative mouldings and curvilinear stepped gable which determines the character of the buildings which have simple L-shaped plans.

3.5 Summary of comparative analysis

The examples of locally listed heritage items in the Mayfield, nearby areas and the subject site at 14 Sunderland Street have several common attributes. They were all originally constructed as residential accommodation during various periods of the growth of the suburb of Mayfield as it evolved from largely semi forested scrubs and fields into a working class town, capitalising on its location between the Hunter River and the rail line, which made it attractive to industries that needed to transport goods such as steel and coal.

The comparative examples are generally intact examples of early residential dwellings. While some were associated with prominent citizens of the Mayfield/ Waratah, others such as the Eddy Street Residential Group represent a rare intact group which have generally retained the integrity of their built form, making a positive contribution to the streetscape. While some of the locally listed heritage items have remained in continual use as private residential dwellings, there are examples of adaptive reuse as multiunit dwellings facilitating boarding houses or student accommodation.

4.0 PHYSICAL CONTEXT

4.1 Site Inspection

A site inspection was conducted from the public domain on the 27 March 2024 by Artefact Heritage and Environment.

4.2 Description of 14 Sunderland Street, Mayfield

The single storey dwelling on the site at 14 Sunderland Street Mayfield is a relatively intact example of a dwelling house constructed at the turn of the 20th century on land which formed part of the Houghton-Le Springs Subdivision released around 1891. The house is located at the western end and on the northern side of Sunderland Street. The house is located on a lot that is the width of two standard lots with a double street frontage, which reflects the original subdivision plan. The block is accessible from Sunderland Street to the south and a rear lane to the north.

4.2.1 Exterior

The house is single fronted with a gabled roof and a transverse gable addressing the street. The original four room plan of the single storey house is generally retained internally, with some minor modifications. The house is constructed of brick masonry which is rendered to resemble sandstone blocks, with articulated quoined corners on the street façade. The brickwork on the eastern and western elevation is painted in the same colour as the render. The window surrounds feature decorative sills and mouldings, however the original double hung windows and timber front door have been removed and replaced with aluminium windows and a more contemporary style timber entrance door.

The roof of the house is corrugated metal sheet painted green. While the roof sheets are not the original roof material, it is typical for roofing to be replaced over time. Historic photos indicate that the original roof cladding may have been slate. There is a skillion verandah roofed with the same painted metal sheet as the main roof and one rendered brick chimney has been retained. The verandah profile is not the original bull nosed profile evident in the historic photos, however the cast iron columns appear to be original. The cast iron valence on the verandah is missing as are the decorative barge boards on the roof gables.

The house has undergone modifications at the rear in the form of enclosure of rear verandah areas and skillion roofed additions clad in fibro cement sheet with roof sheets that match the main roof. There is a small fibro clad shed at the rear of the site. The original stone footings are visible on the eastern elevation, however the subfloor vents have been filled with expanding foam which prevents effective ventilation of the subfloor.

A significant amount of vegetation has been recently removed from the site with only one tree remaining at the front of the site. The low brick boundary wall on the Sunderland Street frontage is a modification to the earlier timber pocket fence as evidenced by historic photos. There are steel framed timber paling fences with gates on either side of the house which are set back from the main elevations.



Figure 16: View east along Sunderland Street to 12 and 14 Sunderland Street



Figure 17; View north to front façade from Sunderland Street



Figure 18: View north east



Figure 19: View north to front porch

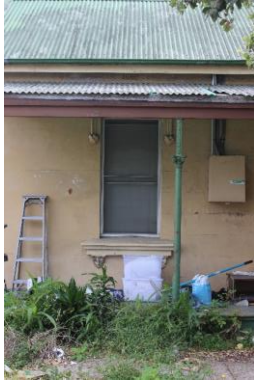


Figure 20: Front porch and cast iron verandh possit



Figure 21: Label mould and cast decorative mouldings on the Sunderland Street façade.



Figure 22: Rendered quoins on the south east corner of the building



Figure : Rendered quoins on the south west elevation of the building



Figure 23: View south to entry to rear addition clad in Hardi plank boards.



Figure 24: West elevation of enclosed verandah clad in Hardi plank boards.



Figure 25: Rear skillion laundry addition clad in corrugated galvanised steel



Figure 26: West elevation of enclosed verandah clad in Hardi plank boards with brick footings.



Figure 27: West elevation of enclosed veranda clad in Hardi plank boards with timber fence and gate.



Figure 28: North elevation of rear addition clad in Hardi plank boards.



Figure 29: East elevation showing stone footing base under brick wall



Figure 30: Subfloor vent which has been filled with expanding foam



Figure 31: East elevation showing the junction of the original brick wall with the corrugated galvanised walls of the laundry addition.



Figure 32: Original window opening on the east elevation. The original timber windows have been removed and replaced with ill-fitting aluminium windows and the gaps filled with expanding foam



Figure 33: View north to the fibro cement clad shed at the rear of the site adjacent to the unnamed laneway.



Figure 34: Interior of the fibro cement shed

4.2.2 Interior

Inspection of the interior spaces at 14 Sunderland Street revealed that the layout of the original four room house is generally intact. Although many original features have been removed, covered, or altered, some original interior fabric such as a fireplace and timber ceiling boards have retained.

The original four room plan of the single storey house is generally retained internally, with some minor modifications to the location of walls. The house is constructed of brick masonry which is plastered internally. Ceiling cornices and internal detailing are not original, however the original timber lining boards are visible under the later addition plaster ceiling. The floors are covered with sheets of plywood or Masonite board concealing the flooring underneath.

The verandah on the western side of the house has been enclosed and lined with fibro sheet or plasterboard sheeting. Floors are covered with linoleum which is not original.

Internal features such as fireplaces and decorative joinery have been removed completely or replaced with more contemporary fittings.

The original window and doors have been replaced with ill fitted aluminium windows and a more contemporary style timber doors. The gaps between the aluminium windows and the window openings has been filled with expanding foam in some areas.

The kitchen and bathroom fitouts at the rear of the structure are later additions and are in usable but poor condition.



Figure 35: Interior ceiling of front room,



Figure 36: MDF board installed to cover the location of the former fire place in the western front room.



Figure 37: Original timber board ceiling is revealed under later hard plaster ceiling.



Figure 38: Partial removal of wall between the rooms.

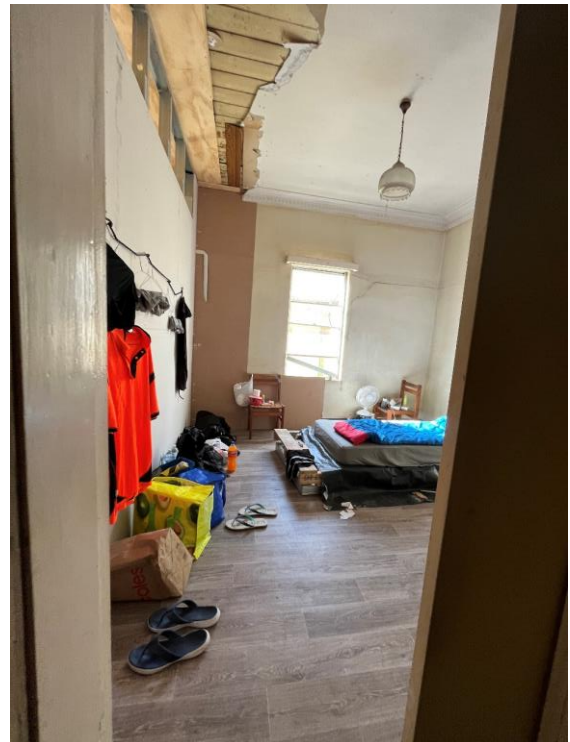


Figure 39: Linoleum covers existing flooring



Figure 40: MDF board installed to cover the location of the former fire place in the western front room.



Figure 41: Remaining fireplace in the western back room.



Figure 42: Contemporary kitchen installation at the rear of the house



Figure 43: Contemporary bathroom fitout at the rear of the house

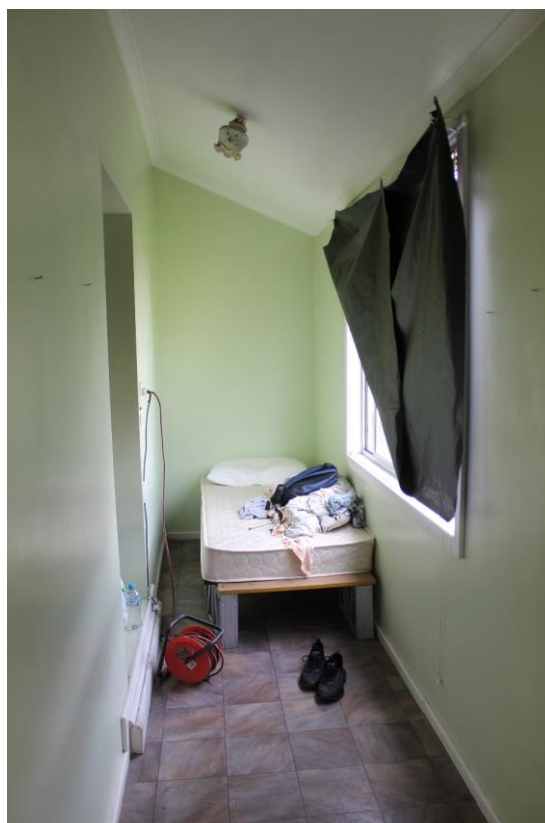


Figure 44: Enclosed verandah on the western side of the house with linoleum floor covering.

4.2.3 Analysis of Sunderland Street

The topography of Sunderland Street and the surrounding streets is flat. It was originally heavily wooded land which was used by early European settlers as bullock paddocks. At only 6 metres above sea level the land was originally flood prone. Between 1921 and 1927 concrete stormwater channels were constructed as part of the big Throsby Creek Scheme which was implemented by the Hunter District Water Board Drainage.

Sunderland Street is residential in character and dwellings are generally original single storey structures from the early 20th Century, with some one storey and occasional two storey infill development. Residential development was initially slow on the early subdivisions of the late 1900's, however by the 1920's pairings or groups of houses were constructed in either face brick or timber framed structures clad in weatherboards. Typical features of original dwellings in Sunderland Street and the nearby streets are prominent gables and modest decorative detailing.

Dwellings are typically set back from the street frontage with front lawns or gardens behind low brick walls or timber picket fences. Many dwellings have been modified but they are generally well maintained and there is a cohesive historic character in the street with evidence of a consistent palette of materials and detailing. Views and vistas along the street have remained clear and infill development has typically been implemented with sensitivity to the scale and form of the existing dwellings.



Figure 45: 14 Sunderland Street viewed from the south prior to removal of vegetation. Source: Google Street view 2021

The following provides a comparison of the property at 14 Sunderland Street buildings with residences in Sunderland Street.

Table 3: Comparative Analysis of Residential Dwellings in Sunderland Street

Address	Description
 <p data-bbox="343 884 865 913">Corner of Sunderland Street and Hanbury Street</p>	<p data-bbox="1023 611 1445 723">Two storey rendered brick dwellings on either side of the western end of Sunderland Street at the corner of Hanbury Street.</p>
 <p data-bbox="472 1404 735 1433">3 & 5 Sunderland Street</p>	<p data-bbox="1023 1149 1422 1232">Single storey freestanding face brick, tiled, gabled roof Federation era dwellings.</p>
 <p data-bbox="464 1926 743 1955">7, 9, 11 Sunderland Street</p>	<p data-bbox="1023 1682 1453 1765">Single storey freestanding weatherboard cottages alongside single storey rendered brick dwelling.</p>

Address

Description



13,15 Sunderland Street

Single storey weatherboard dwellings with gabled metal roofs



10 &12 Sunderland Street

Early 20th Century single storey rendered masonry dwellings with hipped tiled roofs



22 Sunderland Street

Early 20th Century single storey double fronted weatherboard dwelling with hipped and gabled metal roof.

Address

Description



24 Sunderland Street

Early 20th Century single storey single fronted weatherboard dwelling with hipped and gabled metal roof.



28,30 Sunderland Street

Single storey weatherboard and brick dwelling with hipped tiled roof alongside infill brick dwelling with hipped tiled roof.



32,34,36 Sunderland Street

Single storey brick dwelling with hipped tiled roof alongside infill brick dwelling with hipped tiled roof.

Address

Description



40 Sunderland Street

Early 20th century two storey timber clad dwelling with rear contemporary additions on the corner of Sunderland and Rawson Streets.



47 Sunderland Street

Two storey brick infill dwelling with gabled metal roof.



48, 50, 52 Sunderland Street

Early 20th Century single fronted weatherboard dwellings with gabled metal roofs.

Address

Description



64 Sunderland Street

Early 20th Century single storey weatherboard and facebrick dwelling with gabled metal roof.

5.0 SIGNIFICANCE ASSESSMENT

5.1 Methodology

5.1.1 Assessing Significance

Determining the significance of heritage items is undertaken by utilising a system of assessment centred on the *Burra Charter* (Australia ICOMOS 2013) and the NSW Heritage guidelines *Assessing Heritage Significance* (DPE 2023).

If an item meets one of the seven heritage criteria at the local or state level, as outlined by the Heritage Council of NSW, it can be considered to have heritage significance (see **Table 4**). If it meets two criteria at the 'state level' it may be considered for listing on the SHR.

'State heritage significance'—'A State Heritage Register listing recognises a place or object as significant for all of NSW. The listing is assessed and recommended by the Heritage Council of NSW and made under the Heritage Act 1977 by the NSW Minister'.³⁴

'Local heritage significance'—'A local heritage listing recognises the place has significance to a local area and/or community. The listing is included in a local environmental plan or state environmental planning policy and made under the Environmental Planning and Assessment Act 1979'.³⁵

Table 4. NSW Heritage Council's heritage assessment criteria

Criteria	Description
A – Historical Significance	An item is important in the course or pattern of the local area's cultural or natural history.
B – Associative Significance	An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.
C – Aesthetic or Technical Significance	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.
D – Social Significance	An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.
E – Research Potential	An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.
F – Rarity	An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.
G - Representativeness	An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places of cultural or natural environments (or the cultural or natural history of the local area).

³⁴ Heritage NSW, 2023A. *Assessing Heritage Significance*.

³⁵ Heritage NSW, 2023A. *Assessing Heritage Significance*.

5.1.2 Assessing Integrity

Integrity is a measure of the wholeness and intactness of the place and its attributes. Examining the conditions of integrity, therefore requires assessing the extent to which the subject site or element:

- a) includes all elements necessary to express its heritage significance,
- b) is of adequate size to ensure the complete representation of the features and processes which convey the property's heritage significance,
- c) suffers from adverse effects of development and/or neglect.

Table 5: Levels of Integrity

Grading	Justification
High	The physical fabric of the property and/or its significant features is in good condition, and the impact of deterioration processes controlled. A significant proportion of the elements necessary to convey the totality of the heritage significance conveyed by the property is included ³⁶ .
Moderate	The physical fabric of the property and/or its significant features have undergone some modifications. The changes may be reversible.
Low	The physical fabric of the property and/or its significant features have undergone substantial modifications and the original is irretrievable.
N/A	Modern and/or intrusive fabric.
Unknown	Elements that cannot be evaluated (i.e. natural ventilation systems where their continued operation cannot be determined, fabric that cannot be inspected).

5.1.3 Levels of significance of site components

Individual areas and elements of the subject site have been assessed and a level of significance has been applied. This detailed assessment is provided to enable decisions on the future conservation and development of the place.

Five levels of cultural significance have been used in the assessment of the residential building on the subject site. These categories have been developed based on *Assessing Heritage Significance*,³⁷ prepared by Heritage NSW, and the categories provide a framework for conservation policies, interpretation and recommended treatment of the fabric.

Table 6: Gradings of cultural significance

Level	Justification	Status
Exceptional	Where an individual element is assessed as making a rare or outstanding contribution to the overall significance of the place [and exhibits] a high degree of intactness and quality. Minor alterations or degradation may be evident but does not detract from the overall significance of the place. Demolition/removal of the element would diminish the heritage significance of the place.	Fulfills criteria for local or state listings

³⁶ Sheridan Burke, The long and winding road: a challenge to ICOMOS members, in *Changing World, Changing Views of Heritage: heritage and social change* ICOMOS, 2010

³⁷ Heritage NSW, 2023A. *Assessing Heritage Significance*.

Level	Justification	Status
High	Where an individual element is assessed as making considerable contribution to the overall significance of the place and exhibits] a considerable degree of intactness and [was] originally of substantial quality. Considerable alteration may have been undertaken, which may alter the presentation and completeness, but does not detract substantially from the overall significance of the place. Demolition/removal of the element would diminish the heritage significance of the place.	Fulfills criteria for local or state listings
Moderate	Where an individual element is assessed as making a moderate contribution to the overall significance of the place [and exhibits] considerable alteration and/or degradation which detracts from the overall significance of the place. Elements which were of some intrinsic quality but are relatively intact may be included. Elements with little heritage value but contribute to the overall cumulative significance of the place may also be included. New elements of high-quality design and aesthetic value may be considered to contribute to the significance of the place. Demolition/removal of the element may diminish the heritage significance of the place. Elements or spaces can be altered or adaptively reused.	Fulfills criteria for local or state listings
Little	Where an individual element is assessed as making a minor contribution to the overall significance of the place, particularly compared with other elements . . [and exhibits] extensive alterations or degradations which impact their significance and ability to interpret. New elements of little intrinsic quality or aesthetic value may be considered in this category. Demolition/removal of the element would not diminish the heritage significance of the place. Elements or spaces can be altered or adaptively reused.	Does not fulfill criteria for local or state listings
Intrusive	Where an individual element is assessed as detracting from the appreciation and overall significance of a place. The element may be adversely affecting or obscuring other significant areas, elements, or items. Demolition/removal of the element is recommended.	Does not fulfill criteria for local or state listings

5.2 Significance Assessment 14 Sunderland Street, Mayfield

The heritage significance of 14 Sunderland Street has been assessed below in Table 7.

Table 7. Significance assessment for 14 Sunderland Street, Mayfield.

Criteria	Assessment
A – Historical Significance	<p>The existing dwelling at 14 Sunderland Street is historically significant as one of the oldest intact examples of a late Victorian masonry dwelling in original condition in the Houghton Le Spring subdivision, which has retained its original curtilage. While it is not one of the earliest examples of a house constructed in the Mayfield Waratah area, it is evident from physical and visual analysis of Sunderland Street and the surrounding streets that it is the earliest remaining intact brick, masonry house from the Houghton Le Spring Subdivision, which has retained its form, scale, detailing and integrity of original fabric. While later additions have been attached to the rear of the dwelling, they are concealed from public view from Sunderland Street and may be removed without any detrimental heritage impact.</p> <p>The dwelling at 14 Sunderland Street meets the local significance threshold under this criterion as it is an early example of the residential development of the suburb of Mayfield.</p>
B – Historical Association	<p>The Braye family purchased the site at 14 Sunderland Street, Mayfield in 1902, the year T.A.I Braye (Jnr) was elected as Mayor of Waratah. According to the Hunter District Water Board rates books the property was occupied by the Braye family by 1 July 1902. It is likely that the young (growing) family lived in the dwelling as it was close to Waratah Station and T.A.I. Braye had recently established his own legal practice in Court Chambers King Street, Newcastle.</p> <p>Records show that the Braye family arrived in Newcastle in 1855. Thomas Alfred Braye (Snr.) arrived in Newcastle Australia from Cornwall in March 1855, aged seven years, with his parents and sister on the ship Blackfriars. His father was initially involved in farming at Rosebank near Hinton, but relinquished farming to move to Waratah in 1857, where he worked for many years in the Cornish Copper Mining Company. In 1869 he married the eldest daughter of Mr James Inglis of Musselburgh Scotland. He had three daughters and four sons and, the eldest of whom was T.A.I. Braye (Jnr). T.A Braye (Snr.) passed away in 1923 aged 76.</p> <p>Thomas Braye (Jnr) as born at Waratah in 1870 and went to school there. He began work in Sydney but returned to Newcastle to study as an articled clerk. He became a prominent solicitor, who participated in many aspects of civic life of Waratah including occupying the role of Lord Mayor in 1902 and 1903. He was reported to be the first "native" mayor (born in Waratah).</p> <p>He married Sarah Williams of Tarro and had five daughters and two sons. The property at 14 Sunderland Street was registered in the name of Sarah Braye. Sarah Braye remained the owner until 1908, when it was sold to Alfred Edmund Way, a railway employee. Between approx. mid-1904 and 1908 the property was tenanted to Lancelot Roper.</p> <p>The family moved to Teralba in 1913 but T.A Braye continued to be involved in the Waratah Community with the Masonic Lodge, in which he was a Grand Junior Warden and a founding member of the Waratah Bowling Club.</p> <p>The dwelling was purchased and occupied by the Braye family during Thomas. Brayes first tenure as Mayor of Waratah. Thomas Braye was a well-known Waratah resident, from an early local family, known for being one of the youngest aldermen to be elected to council. The dwelling reaches the local significance threshold under this criterion.</p>

Criteria	Assessment
C – Aesthetic, Creative or Technical Achievement	<p>The house is an example of the aesthetic of a modest and restrained late Victorian dwelling. It is boldly formal, while at the same time being of plain character, relying on simple classic proportions of the elements of doors and window openings, gabled roofs. The original four room plan of the house and the original gabled roof form, with single front and side gables and rear twin gables remain intact. The painted galvanised roof sheeting is a replacement of the original roof cladding which may have been slate, as evidenced by the imprint of the previous stepped flashing at the base of the rendered chimney.</p> <p>The house is rendered with decorative ashlar detailing on the front (south) and west elevations, and painted brickwork on the east side and rear north elevations. The arched lintel and projecting brick window sills on the east elevation are rendered and painted to match the colour of the front face render. The rendering of only the elevations, which are in the public view, is typical of the treatment of brick façades in the late 19th and early 20th Century. The rendered brick chimney with projecting drip cornice is not painted and is intact and in fair to good condition above the roof line.</p> <p>The traditional ashlar detailing in the external walls and the rockfaced vermiculated quoins formed in render is generally intact on the front (south) elevation and side (west) elevation. The ashlar detailing became popular in the Georgian period when designers were influenced by classical Greek design. Classical square cut stone detailing with the cut parallel lines forming details over the façade were popular, however the use of stone was very expensive. Builders developed a technique of drawing and cutting lines into the exterior render/plaster when it was not yet set so it looked like stonework. The emulation of the quoins and banding details were developed to achieve the finished look at a lower cost than using stone, while reflecting the wealth and status of the middle class.</p> <p>Although the original sash windows and front door have been removed, the original door and window openings on the south, west and east elevations are intact, with the decorative label moulds above the windows on the south and west elevations all in good condition. There is a decorative embossed vertical floral frieze, and a twin rosette feature under a small projecting cornice between the two windows under the street facing gable which are intact and in good condition. The rendered sills on the south and western side are supported on decorative corbels.</p> <p>The original bullnosed front verandah has been replaced with a skillion roofed verandah, however the cast iron verandah posts remain supporting the verandah beam. The shape of the original bull nosed roof is evident in the shape of the rendered quoin just below the main roof. Small lean-to additions are attached to the rear of the house, including the enclosure of the rear verandah with a Hardi plank cladding on the north and west elevations. The rear additions are typical of the evolution of an older house when the need for more spaces arises. The removal of the detracting rear additions would have a positive heritage impact.</p> <p>Although much of the original interior detailing and features have been removed the original four room plan is intact and legible. There is evidence of original timber V-Jointed ceiling board under later plaster ceiling. Floors, walls, and one former fire place and chimney breast were covered with MDF sheet on inspection.</p> <p>The dwelling at 14 Sunderland Street is a good example of the aesthetic of a modest and restrained late Victorian dwelling. The dwelling reaches the local significance threshold under this criterion</p>
D – Social, Cultural and Spiritual Significance	<p>Braye was a practicing solicitor with the firm Braye, Cragg Cohen, and Chapman, as well as being a former mayor of Waratah, leader in the freemasons and author of the book The History of Waratah 1936.</p>

Criteria	Assessment
	<p>A founding member of Waratah Bowling Club, and was also a prominent Freemason. Braye Park was named in honour of his son Ross Braye in honour of his loss of life in Libya during WWII.</p> <p>The Braye family purchased the site at 14 Sunderland Street, Mayfield in 1902, the year T.A.I Braye (Jnr) was elected as Mayor of Waratah. It is likely that the young (growing) family lived in the dwelling as it was close to Waratah Station and T.A.I. Braye had recently established his own legal practice in Court Chambers King Street, Newcastle.</p> <p>The dwelling at 14 Sunderland Street is highly regarded by the local community as being formerly occupied by a Mayor of Waratah and his family. The dwelling is visually prominent and possesses aesthetic qualities acknowledged by the local community. The dwelling reaches the local significance threshold under this criterion.</p>
E – Research Potential	<p>The dwelling house has generally low research potential however, the site is likely to have archaeological potential as outbuilding, structures drainage and vegetation have been removed over time.</p> <p>The dwelling at 14 Sunderland Street does not reach the local significance threshold under this criterion.</p>
F – Rare	<p>The existing dwelling at 14 Sunderland Street is one of the most intact examples of amid-late Victorian dwellings in the Mayfield and Waratah area. It is evident from physical and visual analysis of Sunderland Street and the surrounding streets that it is a rare example of one of the earliest remaining intact brick, masonry house from the Houghton Le Spring Subdivision, which has retained its form, scale, detailing and integrity of original fabric in Sunderland Street and the surrounding streets. While later additions have been attached to the rear of the dwelling they are concealed from public view from Sunderland Street and may be removed without any detrimental heritage impact.</p> <p>The public presentation of the dwelling to Sunderland Street makes a strong contribution to the story of local heritage in the area enriching its character and giving identity to the neighbourhood.</p> <p>The dwelling at 14 Sunderland Street is one of few comparable places in the local area that represents the earliest phase of the Houghton Le Spring Subdivision. The dwelling reaches the local significance threshold under this criterion.</p>
G - Representative	<p>The dwelling is representative of the evolution of Mayfield and Waratah as an area which evolved from a working-class suburb to a middle-class suburb over time. Sunderland Street runs along an east west axis and has a generally consistent scale of single storey dwellings constructed between the early to mid 20th Century. Although there are some brick dwellings constructed in the 1920's - 1950's, the houses in Sunderland Street are predominantly timber framed structures with metal or tiled roofs and set back from the street with small front gardens or lawns.</p> <p>Modifications to the street frontage of original structures and new infill structures in Sunderland Street have been generally executed in a sympathetic manner with regard to the scale and form of the original structures in the street.</p> <p>The public presentation of the dwelling at 14 Sunderland Street makes a strong contribution as a record of one of the earliest examples of a modest single storey detached brick dwelling which has retained its original form, scale, fabric and decorative external features in the street.</p> <p>The dwelling at 14 Sunderland Street reaches the local significance threshold under this criterion.</p>

Table 8: Gradings of Significance and Integrity for 14 Sunderland Street, Mayfield

Component	Significance	Integrity
Structural form and intactness	High	Moderate
Contribution to streetscape	High	High

5.3 Statement of significance

The dwelling at 14 Sunderland Street Mayfield is late Victorian dwelling representing the residential development of the suburb of Mayfield and is one of few comparable places in the local area dating from the earliest phase of the Houghton Le Spring Subdivision. The dwelling is visually prominent, retaining its form, scale, detailing and integrity. The dwelling possesses aesthetic and historical qualities acknowledged by the local community.

The dwelling was purchased, occupied and likely constructed by the Braye family during Thomas Brayes first tenure as Mayor of Waratah. Thomas Braye was a well-known Waratah resident, from an early local family, known for being one of the youngest aldermen to be elected to council.

The dwelling at 14 Sunderland Street Mayfield reaches the local significance threshold under Criteria (a), (b), (d), (f) and (g).

6.0 CONCLUSION AND RECOMMENDATIONS,

6.1 Conclusions

The assessment has identified the following:

- 14 Sunderland Street Mayfield has historical significance as one of the earliest residences constructed on the Mayfield/ Waratah subdivision, as well as its association with the former mayor of Waratah and prominent citizen of the area - Thomas Braye.
- Although the individual structure may not represent an outstanding example of the Mid-Victorian architectural style, the house represents an early example of one of the core architectural phases of Newcastle and the early development of the suburbs of Mayfield and Waratah. It represents an example of the growth and development of Mayfield as an attractive residential area in the late 19th and early 20th centuries and is a good example of this architectural style which is not well represented in this area.
- 14 Sunderland Street represents a rare intact generally retained the integrity of its built form, making a positive contribution to the streetscape
- The integrity of the structure, form and setting of the house and its curtilage have generally been retained and it contributes to the visual connections between houses along of Sunderland Street, which are largely examples of early 20th century design and construction.
- The physical fabric of the property at 14 Sunderland Street and its significant features have undergone some modifications, however the changes may be reversible.
- The retention of the front four rooms including the original roof form and chimney of the dwelling house at 14 Sunderland Street will contribute to and complement the wider character of the street and sensitively harmonise with the other original housing stock in the street.
- A heritage item listing covers the property, including interiors, exteriors and setting. The heritage listing does not dictate what you can or cannot change. Instead, listing triggers a process for assessing change. Historic buildings can be changed through this careful process that seeks to maintain the heritage significance of the place. Typically, this process involves a development application where owners propose and seek Council's approval for changes. For minor works with no adverse impact, a simplified 'minor works' application process is an alternative to a full development application.

6.2 Recommendations

- This assessment concludes that the dwelling house at 14 Sunderland Street be listed as a local heritage item on Schedule 5 Environmental Heritage on the Newcastle LEP 2012. In general, the strategy for changes to historic properties is to keep and maintain the original or form, scale and features of the place and that any new works are sympathetic to and do not overwhelm the old. This maintains the authenticity of listed places that make them distinct. The significant original or old features differ for each property.

- If listed as an item of local heritage significance the street frontage and original four room area of the house should be retained to express the presence of the building an example of one of the original structures in the Houghton Le Spring Subdivision, which is a rare example of a Mid Victorian which was constructed with modest and restrained detailing.
- It is foreseeable that a heritage listing will still allow for more lenient parameters for new architectural design at the rear of the site, in the form of extension or additions.
- Consideration should be given to any alterations and additions which should be sensitively at the rear of the site.
- Any development of the property should be made with consideration of the provisions of the Housing SEPP and the amenity of the neighbouring properties.

7.0 REFERENCES

- Apperly, R., Irving, R., Reynolds, R. (1989) *A pictorial guide to identifying Australian architecture: styles and terms from 1788 to the present*. Angus & Robertson, North Ryde.
- Awabakal LALC (2022) <https://www.awabakallalc.com.au/>.
- Bonhomme Craib & Associates, and Rosen, S. (1996) *An assessment of the Historical and Archaeological values of BHP land at Tourle St., Newcastle*. Prepared for BHP Newcastle
- Braye, T.A. (28 June 1950) *Dead; Long Career*. Newcastle Morning Herald and Miners' Advocate (NSW:1876-1954), p.2. Retrieved March 26, 2024, from <https://trove.nla.gov.au/newspaper/article/135297580>.
- Cary, H. (2010) *Threlkeld, Biraban and the Colonial Bible*, University of Newcastle.
- City of Newcastle (2018) *Aboriginal Heritage Management Strategy 2018-2021. Considering Country*
- City of Newcastle (2020) *Newcastle Heritage Strategy 2020-2030*.
- Cudden, M (2019) *A History of Waratah (Mayfield) through The Newcastle Chronicle: 1861-1871, with brief history from 1827*. Compiled for Cultural Collections, University of Newcastle.
- Dangar, H. (1828) *Index and directory to map of the country bordering upon the River Hunter*, London.
- Department of Planning and Environment (2023) *Assessing Heritage Significance: guidelines for assessing places and objects against the Heritage Council of NSW criteria*.
- Fawcett, (1898) *Customs of the Wonnah-Ruah Tribe, and their Dialect or Vocabulary*. Accessed <https://livinghistories.newcastle.edu.au/nodes/view/57508>.
- General Committee Mayfield 1900-1950 Jubilee Celebrations (1950) *50 years of progress: 1900-1950: Mayfield jubilee celebrations: souvenir booklet*. Accessed 22 March 2024 at <https://livinghistories.newcastle.edu.au/nodes/view/57590>.
- Higginbotham, E. (2015) *Newcastle Archaeological Management Plan Review*.
- Hughes, J (1988) Interview of Bertha Downie on 21 June 1988, for the Australian regional history research project on *1910-1920 Mayfield: the impact of development of the Broken Hill Proprietary Company Ltd. Steelworks*, accessed at <https://uonccmayfield.wordpress.com/post-1900/berthdownie/>.
- Hunter Living Histories (nd) *Dreaming*. <https://hunterlivinghistories.com/dreaming/>.
- Keating, J (2016) *Waratah & Mayfield: nineteenth century industrial towns*. Self published: WHO Printing.
- Maynard, J., Gilbert, J., Fielding, S., and Kelly Jnr, R. (2021) *Lower Hunter Freight Corridor Investigation*. Report to Transport NSW.
- Miromaa Aboriginal Language & Technology Centre (2020) "Awabakal Dictionary: Community Edition."
- 'Mulubinba - Place of Sea Ferns'; http://www.theuniversitygallerynewcastle.com.au/uploads/2/3/9/6/23967429/full_exhibition_info_mulubinba_web.pdf.
- Ray, G. (2020, 2019) Robert Sneesby's eyewitness account of old Newcastle. Retrieved from <https://www.phototimetunnel.com/robert-sneesbys-eyewitness-account-of-old-newcastle>.
- Reedman, L (2008) *Early Architects of the Hunter Region: a hundred years to 1940*.

SixMaps (2024).

Suters Architects, (1997) *Newcastle City Wide Heritage Study 1996-97. Volume 1: Study Report and Recommendations*.

Turner, J. W. (1977) *Coalmining and Manufacturing in Newcastle, 1797 - 1900*. (Doctor of Philosophy). University of Newcastle, Newcastle.

University of Newcastle Special Collections (2013) "The many names of Newcastle – Mulubinba." *Hunter Living Histories*, accessed on 8 July 2022 via <https://hunterlivinghistories.com/2013/08/30/the-many-names-of-newcastle-mulubinba/>

Wilkes, C. (1845) *Narrative of the United States Exploring Expedition*, Lea & Blanchard, Philadelphia, US.

Worimi Conservation Lands (nd.) <https://worimiconservationlands.com/>.



artefact

Artefact Heritage and Environment

ABN 73 144 973 526

Suite 56, Jones Bay Wharf

26-32 Pirrama Road

Pymont NSW 2009 Australia

+61 2 9518 8411

office@artefact.net.au

www.artefact.net.au