



**MODIFICATION REQUEST:
NEWCASTLE REGIONAL MUSEUM
REDEVELOPMENT
Workshop Way, Newcastle
(MP 06_0083 MOD 2)**

Installation of security entry gates



Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

June 2012

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EXECUTIVE SUMMARY

This report is an assessment of a modification request by Newcastle City Council (the proponent) requesting that the approval for the Newcastle Regional Museum be modified to include security gates at the front entrance to protect the forecourt and associated fabric and interpretative features.

The Environmental Assessment (EA) for the modifications was made publicly available on the department's website, and consultation was undertaken with Newcastle Council, the Heritage Branch of the Office of Environment and Heritage and Hunter Development Corporation. Council raised no issue with the proposed modifications.

The department has assessed the merits of the proposed modifications and is satisfied that any resultant environmental impacts would be minimal and can be adequately mitigated and managed.

The department considers that the proposed modification application should be approved.

1. BACKGROUND

On 25 March 2009, the Director-General, under the delegation from the then Minister for Planning, approved the Major Project Application for the adaptive reuse of the Honeysuckle Workshops for use as the Newcastle Regional Museum.

The site is located in the Honeysuckle Special Area of the Honeysuckle Development Precinct. The site is owned by Newcastle City Council and comprises three State heritage listed buildings that have now been linked, as part of the conversion to a museum. The site is bound by Workshop Way, Merewether Street, the Railway line and Wright Lane. The project location is shown in Figure 1.

Figure 1: Project Location



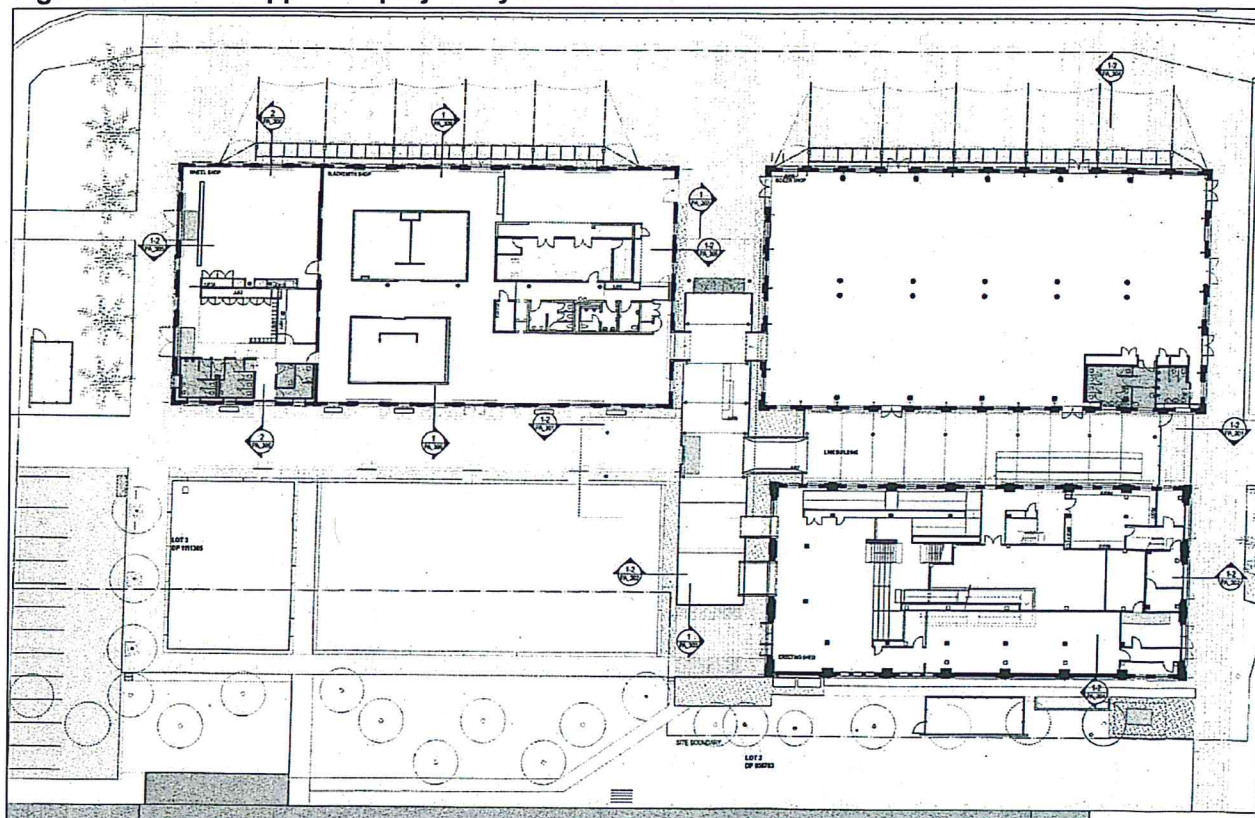
The project approval comprised:

- the adaptive reuse of Honeysuckle Workshops for the use of a museum, incorporating a new foyer linking the three heritage buildings and mezzanine levels within, including fit-out and landscaping
- hours of museum operation: Monday to Sunday: 10.00am – 5.00pm
- hours of operation as a Place of Public Entertainment: Sunday to Thursday 8:30 am – 10 pm, and Friday to Saturday 8:30 am – 12 pm
- landscaping including retention of trees
- utility structures including two louvred plant rooms, electricity kiosk and a rubbish storage bay
- 12 new car spaces, including two car park spaces for persons with a disability, and four bicycle racks.

On 15 October 2009, MP 06_0083 MOD 1 was approved by then Executive Director, Major DA Assessments, as delegate for the then Minister for Planning, to modify the approval to extend the Link Building to accommodate an exhibition space, relocate internal plant elements to external louvred enclosures, provide new suspended ductwork in the Boiler Shop to replace trenching for mechanical ventilation and minor façade modification to the eastern elevation of the Link Building.

Refer to Figure 2 for the modified approved project layout.

Figure 2: Modified approved project layout



The construction works have been completed and the Newcastle Regional Museum has been operational since August 2011.

A security issue has arisen in the forecourt area at the main entrance to the museum, with anti-social behaviour occurring within the forecourt after business hours. The proponent seeks to modify the approval to install steel gates to provide improved security.

2. PROPOSED MODIFICATION

2.1 Modification Description

The proponent seeks to amend the project to construct a set of new painted steel gates at the northern entrance to the museum between the Boiler Shop and Blacksmiths Shop buildings (see Figure 3 and 4). The proponent seeks to construct the new steel gates to provide improved after hour security in the forecourt, and to protect heritage fabric and interpretive heritage elements located in the forecourt. The new gates would seek to prevent anti-social behaviour and protect public amenity.

Figure 3: Gate location

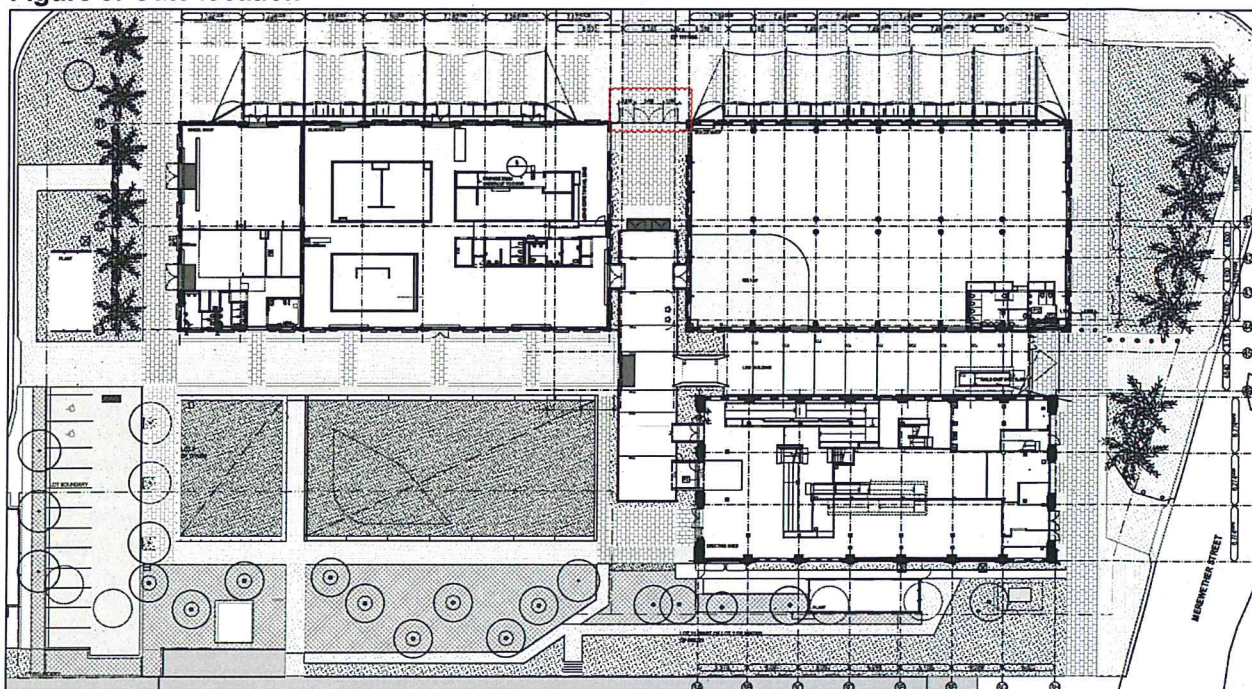
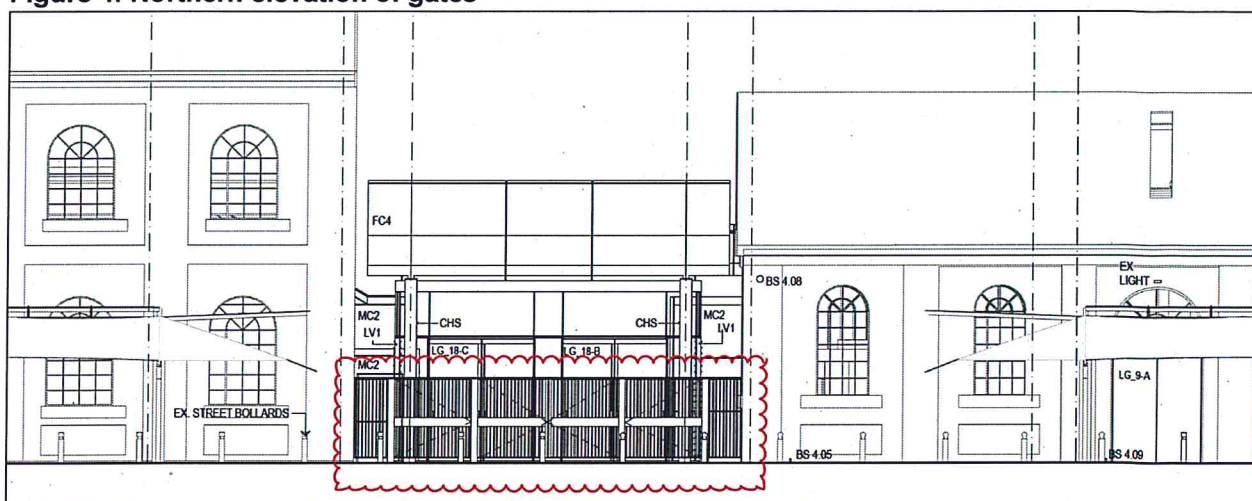


Figure 4: Northern elevation of gates



3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects. Approved projects are transitional Part 3A projects.

Section 75W(2) of the Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification is not required if the approval of the project as modified would be consistent with the original approval. As the proposed modification seeks to install new steel gates at the entrance of the site, the modifications will require the Minister's approval.

3.2 Delegated Authority

The Minister has delegated his functions to determine Part 3A applications to the department where:

- the council has not made an objection, and
- there are less than 10 public submissions objecting to the proposal, and
- a political disclosure statement has not been made in relation to the application.

There has been no submissions received from the public objecting to the proposal and council has not made an objection to the proposed modification. There has also been no political disclosure statement made for this application or for any previous related applications.

Accordingly the application is able to be determined by the Director, Metropolitan and Regional Projects North under delegation.

4. CONSULTATION AND SUBMISSIONS

In accordance with section 75X of the EP&A Act and clause 8G of the EP&A Regulation, the modification request was made available on the department's website. Due to the minor nature of the proposed modification, the modification request was not exhibited by any other means. No public submissions were received on the modification request. The request was referred to Newcastle Council, the Heritage Branch of the Office of Environment and Heritage and the Hunter Development Corporation for comment.

Newcastle Council and the Hunter Development Corporation raised no objections to the modifications.

The Heritage Branch of the Office of Environment and Heritage did not support the design of the gates in their original form as the gates would have the potential to diminish the visual character of the heritage buildings and the area. The Heritage Branch requested further justification for the proposed gates as well as further consideration of alternative solution and designs, including a more modern design.

In response to the concerns raised by the Heritage Branch, the proponent provided further documentation on 21 May 2012, including an amended gate design supported by a heritage impact statement that concluded that the amended design of the gates, which provided a more modern design by removing the curved elements, would not have an impact on the significance of the heritage buildings. The revised design also provided a greater setback from the alignment of the two buildings to ensure the two buildings still visually presented as separate entities.

5. ASSESSMENT

5.1 Function of the gates

The proponent seeks to install gates at the front entrance of the site to protect the forecourt situated between the two buildings and the main entry. Whilst the forecourt provides a suitable space for visitors to interact with the heritage and interpretive elements on the site, the forecourt has limited visibility from passing vehicular and pedestrian traffic due to the setback of the buildings from the northern site boundary

and recessed main entry. The forecourt is a secluded area that has experienced vandalism and anti-social behaviour after business hours since the museum's opening. The proponent has indicated that whilst there are security cameras, these have not been effective in deterring minor incidents from occurring. The proponent has indicated that the potential for anti-social behaviour is heightened due to the late night venues that operate in the vicinity of the site and the installation of the proposed gates would alleviate the potential security risks and potential damage to a community facility.

The Heritage Branch of the Office of Environment and Heritage queried the location of the gates and their effectiveness in resolving the security issues.

The department considers that whilst alternative measures could be adopted to deter anti-social behaviour, the most effective and appropriate given the recessed entrance and visually seclusion of the forecourt area, would be the installation the gates as a physical barrier. The incidents also appear to occur as a result of convenience and opportunity given the minimal passive surveillance after hours. Accordingly, the department considers the proposed gates would be an effective and appropriate security measure.

5.2 Heritage Impact

The Heritage Branch of the Office of Environment and Heritage originally requested further details regarding how the gates, as originally proposed, relate to elements of the historic buildings and the impact on the visual character of the historic buildings. The Heritage Branch also considered that a more contemporary design would be more suitable to retain the visual separation of the two buildings.

In response, the proponent detailed that the gates relate to the historic elements of the buildings as the designer engaged to prepare the steel gates also prepared the other interpretive elements for the site, thereby ensuring that the gates are consistent with the interpretive strategy for the site as well as the historic use of the site. The proponent has also indicated that the steel gates and the handles, which have been designed to reference locomotive buffers, relate to the previous uses on the site and would contribute to the character and former use of the site. Whilst a more contemporary single swinging panel design was considered, it was not deemed appropriate given it could not meet fire safety egress requirements.

After further consultation with the Heritage Branch, the proponent submitted a revised design to address their concerns. The revised design removed the curved elements and provided a greater setback to ensure the visual separation of the two heritage buildings. The revised design was also supported by a heritage impact statement that considered the design was contemporary and consistent with the contemporary additions that have been undertaken for the adaptive re-use of the heritage buildings. The design would also have minimal impact to the building fabric, with any impacts considered reversible. The revised design was considered satisfactory by the Heritage Branch.

The department considers the proposed gates acceptable as they would have minimal heritage impacts on the buildings and as the visual separation of the two buildings can be maintained through the contemporary and transparent design of the gates. Furthermore, the department has included a recommended condition that requires the security gates be setback a minimum of 500mm from the face of the northern wall of the Blacksmiths Shop building to ensure that the visual separation of the two buildings is maintained.

6. CONCLUSION AND RECOMMENDATION

The department has considered the requested modification to the project approval for the Newcastle Regional Museum (MP06_0083) and considered the key issues associated with the modification. The proposed modification is considered appropriate in the context of the site and will provide public benefit.

The department has recommended the approval be modified to incorporate the gates as they would have acceptable impacts to heritage fabric and minimal impacts to the significance of the heritage item given the contemporary design and references to the historic use of the site. The gates would provide improved community benefits by protecting the heritage fabric and interpretive elements in the forecourt and improving the security of the community facility.

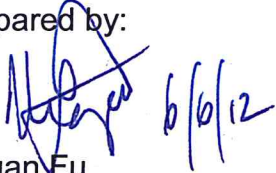
It is therefore recommended that the modification application be approved.

7. RECOMMENDATION

It is recommended that the Director, Metropolitan and Regional Projects North:

- note the information provided in this report;
- approve the modification request, pursuant to section 75W of the EP&A Act; and
- sign the attached modifying instrument (see Appendix C).

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