

9 September 2019

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By email: < amanda.blake@mirvac.com >

Dear Amanda

**re: Preliminary Report: Potential for Heritage Impact, Proposed Development at
55 Coonara Avenue, West Pennant Hills (the study area)**

This report makes a preliminary address to Council requirements, based on the response of Heritage, DPC ('Heritage'), expressed in its letter to Council of 14 August last. The report is provided to enable you to lodge a document with Council when applying to rezone the study area that will:

- acquaint Council of our professional involvement; and
- provide an outline to Council of the content of our formal Statement of Heritage Impact which is presently in preparation.

You are, of course, at liberty to submit this preliminary report to Council with that application

Plans for the project have already been submitted to Council. The study has involved investigation of the *archaeological, historical and physical contexts* of the study area with its surrounding environment and analysis of any inter-relationship, from which the potential for heritage impact may be accurately assessed and reported.

1. Project Location

The study area was located at the south-eastern corner of Coonara Avenue with Castle Hill Road, West Pennant Hills, and was readily accessible on foot and by vehicle from Coonara Avenue.

Other relevant information about the location of the study area is shown in **Table 1**.

Table 1: Location Data

Topographic Map Sheet	91304S Parramatta River
Grid reference/centre	317885.6264335
Lot/Portion/Section	Lot 61, DP 737386, part of the original Por 41 of Parish
Parish	Field of Mars
County	Cumberland
Local Government Area	The Hills

The regional location of the study area is shown on **Figure 1** while its local context appears in **Figure 2**.

2. Heritage Consultant

Paul Rheinberger, Principal Archaeologist, MAXIM Archaeology & Heritage, was appointed as heritage consultant and was made aware of the recommendations of Heritage. He is the author of this preliminary report and will submit a formal Statement of Heritage Impact in due course.

3. Study Area Investigation

Investigations of the contexts of the study area precinct have been made, and are briefly summarised as follows:

i) Archaeological Context

Consultation with...

- the Hills Local Environmental Plan 2012 (the LEP);
- the NSW Heritage Register (SHR) and Inventory SHI) maintained by Heritage;
- National Heritage Listing of the Australian Heritage Council; and
- the Register of the National Trust (NSW).

...revealed that the study area is not listed in any heritage register or listing resource, and that on the adjoining property, now reserved as the Cumberland State Forest, residual features described as **Cumberland State Forest, Bellamy Quarry and Sawpit** are listed...

- as locally significant at Schedule 5 of the LEP as item A26, and
- on the SHI, as a consequence of LEP Listing, item No 1090257, but

...were not otherwise listed in any heritage register or listing resource

ii) Historical Context

Data provided in...

- **the following historical mapping of Parish Field of Mars, Co Cumberland:**
 - ~ Historical Parish Mapping (HPM) Sheet 3, nd, HPM 140693, AO #215,
 - ~ HPM Sheet 4, nd, HPM #140759, AO #306,

- ~ HPM Sheet 5, HPM #140910, AO #25705,
- ~ Parish Map, Ed 4, 1890, HPM #140135, AO #25755,
- ~ Parish Map, Ed 5, 1894, HPM #not labelled, AO #25754,
- ~ Parish Map, Ed 5 (labelled 2), 1894, HPM #140140, AO #25767,
- ~ Parish Map, Ed 6, 1903, HPM #140142, AO #25771,
- ~ Parish Map, Ed 5, 1910, HPM #140484, AO #46110, and
- ~ Status Branch, Map 1/3, 1987, HPM #3.
- **material from the LEP, particularly:**
 - ~ Part 5, Clause 5.10,
 - ~ Schedule 5, with emphasis on Part 3, Archaeological Sites, and
 - ~ Heritage Map 024.
- **database listings of the SHI**, under the classification *LGA: The Hills*, identifying:
 - ~ **Cumberland State Forest, Bellamy Quarry and Sawpit**, Database #109025.
- Edds, G *et al*, 1993. **Baulkham Hills Shire-wide Heritage Study**.
- Corporate Resources Division, Forestry Corporation, 2018. **Addendum to Coastal Hardwood Forest Management Plan outlining management of Cumberland State Forest**.
- **material from Museum of Applied Arts & Sciences:** pit and steam-powered saw operations.
- Dargravel, J 2005. **Australia and New Zealand Forest Histories:** pit and steam-powered saw operations.
- New South Wales, Convict Indents, for William Bellamy, James Shepherd
- Sainty MR and KA Johnson, 1985. **Census of New South Wales –November, 1828**.
- **Convict Records Website**. William Bellamy, James Shepherd
- **Australian Royalty Website**. James Zadok Bellamy Sen & Jun, James Shepherd.
- **Geni Website**. William Bellamy, James Shepherd

ABSTRACT FROM THE ABOVE¹

Essentially, these resources confirmed that the study area forms part of the former Portion (Por) 41, containing 60 acres (≈ 24.4 ha) of Parish, taken up by James Bellamy on 13 January 1818. James was born in 1798 in Sydney, the son of William Zadok Bellamy². William married Ann Faye in 1796, by which time he had not incurred further penalty and was free by servitude. He took up *Bellamy Farm* at 'Castle Hill'³ on Por 43, where his first child, son James Zadok, was born in 1798. In 1828, William was recorded as living with his wife on 200 acres (≈ 81.3 ha) at Castle Hill, having cleared 60 acres (≈ 24.4 ha) and cultivated 50 (≈ 220.3 ha) and was running nine horses. He died at Bellamy Farm in 1850, pre-deceased by Ann, 1843.

In 1828, James was living with his wife Hannah and five children at *Bellamy Homestead* (Por 41), where he was described as 'orchardist/farmer'. They had married in 1816. He held 240 acres (≈ 97.6 ha) of which 55 acres (≈ 22.4 ha) were cleared with 47 (≈ 19.1 ha) under cultivation and was running six horses and 50 head of cattle. He also acquired Pors 72 and 73, both 30 acres (≈ 12.2 ha), thus connecting *Bellamy Homestead* with *Bellamy Farm*. Pors 41, 72 and 73 will have been a significant component of James Bellamy's total holding, which was nonetheless a comfortable property in colonial terms. According to family records, the first residence built on *Bellamy Homestead* was in timber but as the family grew, the timber house

¹ **The Abstract is not referenced in detail here. The account of historical context in the Final Report will be fully referenced.**

² Per *Active*, 1791: theft of shoes, *Old Bailey*-9 December 1789, 7 yrs)

³ Actually, Por 43 of Parish a short distance south of the study area.

must have become inadequate. James built a second house in stone on the study area. James died in 1875.

As has been observed, Por 41 adjoined an allotment now known as the Cumberland State Forest. This land was originally Por 42 of Parish and on 11 August 1804, was granted to James Shepherd. Shepherd was born 1763 and convicted of horse stealing in 1785 at Croydon Assizes (Surrey). He was sentenced to 14 years but was conditionally pardoned in December 1794 and was married to Ann Thorn in 1795. The couple took up farm land at Kissing Point called *Thorn Farm* and had four children, the eldest being another James born 1796. James Senior remained living at *Thorn Farm*, where he died in 1847. In the meantime, by 1828 James Junior has acquired 1,500 acres (≈ 609.7 ha) of which 130 acres (≈ 82.8 ha) were cleared with 80 (≈ 32.5 ha) under cultivation and was running nine horses and 200 head of cattle and 1,200 sheep. The 100 acres of Por 42 was only a small part of Shepherd's total holding, which was extensive in colonial terms. James Junior survived until 1882.

In this historical environment, a question arises about the origin of the features now labelled as *Bellamy Quarry and Sawpit* in the Cumberland State Forest. It is possible that Bellamy bought Por 42 from Shepherd or made an agreement to harvest and process timber and quarry stone. Alternatively, given the proximity of the features to Pors 41/42 boundary, he may well have simply unwittingly trespassed, portion boundaries being fairly undefined in the virgin bush.

Whatever the sequence of events, it seems unlikely that either operation took place much after the mid-1830s. As has been observed, by 1828 James and Hannah Bellamy had five children between nine and one years old. Three more children arrive by 1834. In the circumstances, it seems highly likely that the origin of the sawpit may have been as early as 1819 or 1820 and that of the quarry as early as the late-1820s and that the product of both will have been directed to the construction of the two family dwellings. The most likely location of these dwellings is likely to have been around the north-western corner of Por 41 (off the study area), this being the highest point of the land, close to the then road, and now identified as 'Bellamy Trig'. There has been no suggestion that that study area has possessed heritage values and, even in the event that such values might have previously existed, the degree of disturbance attending the existing construction would have ensured its/their destruction.

There appears no suggestion in the family history that James was ever involved in commercial timber or stone supply. In so far as the saw pit is concerned, it is worth observing that the first steam engine was imported into Sydney in 1815. By 1830, steam engines were being manufactures in Sydney in a variety of sizes and used to power pumping, grinding and milling, including sawmills. In any commercial format, pit-sawing was a particularly arduous and slow process and was enthusiastically replaced by small steam-powered mills from the early 1830s.

The Cumberland State Forest dates from its dedication in 1938. It was acknowledged at that time to have been cleared for agriculture about 1908 and to have been substantially logged. It is now described as '*a mixture of mature and early-mature secondary forest ecosystems. There are some older trees which have developed hollows, in branches and stems, which are used by a variety of arboreal (tree dwelling) fauna.*' The forest was never intended as a commercial logging operation. About one-third was developed as an arboretum while the remainder was allowed to regenerate as an exercise in forest management, nursery and facilities for community recourse development. In this regard, since its dedication vehicular roads, picnic facilities and hiking tracks evolved as well as construction of offices and a restaurant

iii) Physical Context

A short study of the physical properties of the study area and the sites of **Bellamy's Quarry and Sawpit** revealed that:

- i) The ground in the study area declined from a narrow plateau at the northern extent at a height of $\approx 175\text{m}$ through a distance of $\approx 700\text{m}$ to a minimum elevation of $\approx 105\text{m}$. The study area had been substantially developed in the northern area for buildings and vehicular parking, as has been disclosed in plans submitted to Council, with a cleared area close to the eastern boundary at about mid-depth, while a belt of tall mature second-growth timber survived in the southern aspect and along the eastern boundary with the Cumberland State Forest (see **Figure 2**). At the eastern boundary an easement existed for electricity transmission and another trended westerly across the study area.

From all vantage points on the study area, visibility into the forest was substantially obstructed by either the stand of timber on the study area or the first band of timber of the forest stand.

- ii) the broad area of the forest was covered by a dense stand of first growth arboretum timber and tall second-growth regeneration. Located within the forest area were picnic areas identified as Calgaroo, Shepherds, Swains and **Bellamys**, while exploration is encouraged along marked walking tracks. Vehicle access was available from Castle Hill Road and Orotava Avenue. Vehicular tracks transect the forest providing ready access to Calgaroo and Swains Picnic Areas in the north-east, Shepherds and **Bellamys** in the west centre, and the major carpark, restaurant and nursery close to the mid-depth western boundary. Extensive carparks and a corporate facility were found on the south-eastern sector.

Of **Bellamy's Quarry and Sawpit**, predictably enough, no material evidence survived above ambient ground and the depressions revealed relatively shallow excavation. From vantage points around the site of the features, visibility westerly was dominated by forest and the presence of ancillary buildings associated with community access to the area surrounding the features/sites.

4. Physical Impact of the Project

The Project broadly involves the following individual elements, in the locations on the study area and otherwise as defined in Project plans, which have been submitted to Council.

- i) demolition of the existing structures and ancillary improvements, including hardstand parking areas and all buildings, removal of existing service reticulations as necessary;
- ii) specifically, construction of new Project buildings, vehicular and pedestrian ways, parking areas and leisure activity areas according to plans notified to Council and the community;
- iii) generally:
 - a) excavation of the surface for footings, trenches for services and for exterior paving;
 - b) laying of footings, forming and sealing of roads, ways, parking areas and community activity areas, installation of services and backfilling service trenches, installation of fencing and signage;
 - c) placement of temporary facility buildings on site, and subsequent removal;
 - d) movement of personnel, vehicles and plant across the study area.

The project will have physical impact(s) on the study area, in the context that the study area has been considered to possess no cultural heritage individual or local values.

5. Conclusions

i) Statement of Heritage Impact

This Statement of Heritage Impact is made on the basis of the investigations abstracted above and comprehension of the nature of local heritage resources and implications of the project works. This statement will form part of the detailed report of this study and is made in respect of the study area and curtilage defined above. The statement addresses the study area in terms of any potential impacts upon the study area, nearby heritage resources and/or their research potential, their significance and condition and integrity, and acknowledges that there is not potential in the project for physical impact on the nearby heritage resources. The Statement of Heritage Impact has been prepared, in common with this report, by Paul Rheinberger, for the Mirvac and for all to whom it may be referred by Mirvac.

In general terms, the following observations are made concerning the planning and proposed realisation of the development:

Having regard to the assessment of cultural significance and the practical impact of the proposed development, it appears that there will be no:

- a) **physical impact on *Bellamy Quarry and Sawpit* or any known heritage resource either on or in proximity to the study area;**
- b) **potential for detrimental or any visual impact on *Bellamy Quarry and Sawpit* or any known heritage resource or specifically**
- c) **noticeable impact upon heritage values of the study area, its precinct, the suburb of West Pennant Hills or the LGA.**

On the basis of all of the above, the following statements are made:

- **Could the proposal respect or enhance the heritage significance of the study area, its precinct, the suburb of West Pennant Hills or the LGA, for the following reasons:**

Project works:

- ~ will respect but will not enhance the heritage significance of the study and local area;

- **Could the proposal detrimentally impact on the heritage significance of the study area, its precinct, the suburb of West Pennant Hills or the LGA. Reasons are explained as well as the measures to be taken to minimise impacts:**

Project works:

- ~ will have no detrimental impact, physical or visual, on any aspect of heritage significance in the absence of heritage values in the study area and the physical/forest environment surrounding ***Bellamy Quarry and Sawpit***.

– **The following sympathetic solutions have been considered and discounted for the following reasons:**

- ~ In the absence of any threat to heritage values in the study area and the locality, the need to consider alternative sympathetic solutions has not arisen.

– **Attachments:**

- ~ This Statement of Heritage Impact relies upon the attachments to the report generally.

– **References:**

- ~ The references contained in this Statement of Heritage Impact are detailed within this report.

ii) Final Report

The substantive, final report will include:

- i) a full account of investigation upon which this preliminary report and the final report is based;
- ii) detailed analysis of context data;
- iii) illustrations by photography and drafting of the location and components of the study area precinct and relevant features of the Cumberland State Forest;
- iv) formal Statement of Heritage Impact(s) conforming to Heritage guidelines;
- v) recommendations regarding the further management of the study area.

Should further information be needed, please contact me.

With kind regards



Paul Rheinberger

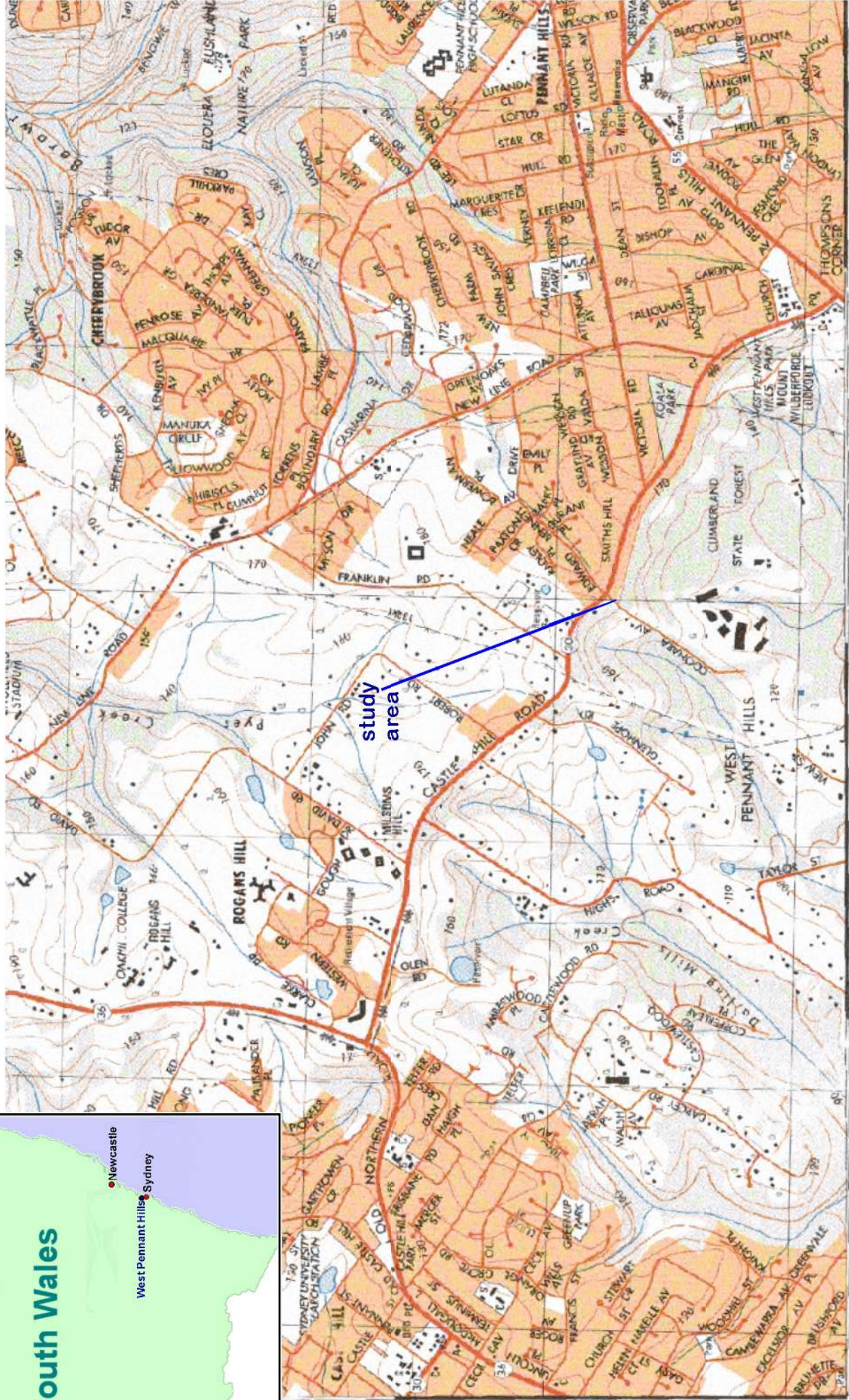
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New South Wales

Newcastle
West Pennant Hills
Sydney



Extract from Topo Map 91304S

	Scale: 1.0 Kilometre Grid	Client: Mirvac Reference: 190901	Source: Topo Map 91304S Parramatta River	Title: Study Area: Regional Location	Figure 1
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