



**PLANNING PROPOSAL**

**AMENDMENT TO THE CESSNOCK LOCAL ENVIRONMENTAL PLAN 2011**

Keren Brown

Heritage Listing of Wills Hill Road Lovedale

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Version 3.0

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**Revision History**

Revision	Description
1	Draft for Council Endorsement
2	Post exhibition Council consideration
3	Final for gazettal

Application No.: 18/2021/3  
Subject: Heritage list Wills Hill Road Lovedale

## **PART 1: OBJECTIVES AND OUTCOMES**

The objective of the planning proposal is to preserve and recognise the heritage significance of Wills Hill Road and the corridor it sits in. This includes the alignment of the road, tree lined corridor and road treatment.

The intended outcome is to list part of Wills Hill Road as an item of Local Heritage significance in Scheduled 5 of the Cessnock Local Environmental Plan 2011 and on the associated Heritage map.

## PART 2: EXPLANATION of PROVISIONS

This Planning Proposal has been prepared to enable the following amendments to be made to the LEP 2011:

- Amend Schedule 5 of the Cessnock LEP 2011 to identify part of Wills Hill Road Lovedale as in item of local heritage significance.
- Amend the Heritage Map HER\_005 to identify part of Wills Hill Road Lovedale as an item of local Heritage significance.

### Affected land

It is proposed to heritage list the northern portion of the Wills Hill Road corridor (**Figure 1**). Wills Hill Road is located directly east of Wine Country Drive and approximately 1km north of Lovedale Road. Wills Hill Road is connected at both ends to Wine Country Drive and runs approximately 2.3km north/south adjacent to Wine Country Drive. The primary entry to Wills Hill Road is at its southern end, approximately 250m south-east of the DeBortoli Winery. Wills Hill Road has been widened 600m north of the southern intersection to Wine Country Drive to service the DeBortoli Winery. The remaining 1.6km remains as single lane with a dirt surface and very close vegetation on either side of the corridor.

It is proposed to heritage list the northern sections of Wills Hill Road, starting at the southern boundary of Lot 4 DP: 1048155.

The heritage listed section of road will have the following lot and DPs fronting the road (figure 1):

- LOT: 4 DP: 1048155
- LOT: 1 DP: 1048155
- LOT: 2 DP: 1048155
- LOT: 3 DP: 1048155

### Heritage significance

A detailed Heritage Assessment is provided in **Appendix 1**. The Heritage Assessment includes details on the physical description of Wills Hill Road, the historical context, importance of the road and a comparative analysis of other roads in the locality. Refer to **Appendix 1** for a full heritage assessment however a summary is provided below.

The historical context and analysis contained in the Heritage Assessment establishes that portions of what was to become Wills Hill Road was in existence by the 1830s and possibly 1820s, though the majority of the road did not appear on parish maps until the 1860s.

The road is an extant example of one of the earliest connecting roadways from Cessnock to the wider Hunter Valley and has historical importance and significance. This historical value is enhanced through the retention of much of the single-lane carriageway width, unsurfaced road and established tree plantings – all of which evoke a pre-20<sup>th</sup> century landscape character. The road is one of the surviving example of an early 19<sup>th</sup> century road, which retains many defining attributes and characteristics which reinforce its sensory appeal and historical value. The road has been truncated and does not remain in its entirety, but still retains a significant portion relatively intact.

The aspects of the road which contribute to its heritage significance include:

- Road alignment
- Road width
- Tree corridor
- Road surface

- Verges and undergrowth
- Fences
- Water crossing
- View and setting of the road



## PART 3: JUSTIFICATION

In accordance with the Department of Planning and Environment's "Guide to Preparing Planning Proposals", this section provides a response to the following issues:

- Section A: Need for Proposal;
- Section B: Relationship to Strategic Planning Framework;
- Section C: Environmental, Social and Economic Impact; and
- Section D: State and Commonwealth Interests

### Section A: Need for the Planning Proposal

#### 1 Is the planning proposal a result of an endorsed LSPS, strategic study or report?

The Planning proposal has not been initiated by a current adopted Strategic Study. However there are a number of Studies that recognised the importance of the road.

##### **Cessnock Heritage Study 1992-1993**

The site was previously included in the Cessnock Heritage Study 1992 conducted by Penelope Pike & Meredith Walker. The Study recommended the item for inclusion within Schedule 5 of the LEP.

Penelope Pike & Meredith Walker carried out a process of compiling an inventory of items demonstrating Heritage Significance within the Cessnock LGA through their 1992-93 Heritage Study. This study saw 250+ items in the LGA be recognised for their significance to the cultural heritage in the region. This study recognised both Wills Hill Road and Glenmore (an early homestead dating back to John MacDonald in 1836) as being of local heritage significance and recommended both inclusion within Schedule 5 of the CLEP 2011. Notably, the Glenmore holding has been partly included.

The Cessnock Heritage Study provides a brief statement of Wills Hill Road's significance as follows:

*"Evidence of early and continuing agricultural and grazing use of land in this area from the 1830s. Illustrates the character and components of a 19th [century] rural landscape."*

The road was built in the 1830's and formed part of the original connection between Cessnock and settlements to the north along the Hunter River. As noted in the Heritage inventory sheets (**Appendix 1**).

##### **EJE Interim Heritage Order Submission**

In 2021 EJE prepared an Interim Heritage Order Submission to the Office of Environment and Heritage (OEH) for Wills Hill Road to be listed as an Item of State Heritage Significance (**Appendix 2**). Ultimately, OEH determined that the item did not meet the criteria for State listing however Council could pursue a local listing.

The EJE submission documented parish maps from 1888 and 1942 that show Wills Hill Road in its current form.

##### **Hunter Valley Heritage Vineyards Strategic Study**

The objective of the Hunter Valley Heritage Vineyards Strategic Study, which was commissioned by the Hunter Valley Wine Tourism Association, was to identify, recognise and celebrate the heritage vineyards and cultural landscape of the Pokolbin and Broke Fordwich wine subregions of the Hunter Valley as a significant heritage item and set of items within the

broader Hunter region. While it did not examine specific potential items of heritage significance, it is of relevance as it provides a historical and strategic context in respect to the settlement of the land adjacent to Wills Hill Road (Glenmore), and a timeline in respect to the importance of the road in the context of the settlement of the area. The study notes as follows:

*“The Hunter Valley was settled as part of the second main wave of settlement to occur in Australia between 1820 and 1850 that was driven by new government policies structured towards the agricultural development of the economy, and the use of convict labour under the superintendence of wealthy private settlers. A new phase of settlement began when Surveyor Henry Dangar surveyed the Hunter River in 1822 using a square-mile grid pattern. Over the following decade large land grants, mostly of around 2000 acres, encouraged an influx of wealthy settlers to take up the alluvial land along the river and its tributaries, where the expansive river systems and rich alluvial plains supported large-scale grazing and farming enterprises established with the use of convict labour.*

*Between 1822 and 1824 towns were established at Maitland and Morpeth, Bulga and Broke, and in 1826 work started on the construction by convicts of the Great North Road through Baulkham Hills, Wiseman’s Ferry, Laguna, Wollombi, Sawyers Gully and Maitland to Newcastle, and also northwards via Broke and Warkworth to the Upper Hunter. By the 1828 census, 191 properties of over 1000 acres were established in the region, with cattle grazing the main economic driver.*

*Among those who took up early land grants were John Macdonald at ‘Glenmore’ on Black Creek, Pokolbin; John Busby at ‘Kirkton’ near Branxton, developed as a wine growing property by Busby’s son-in-law William Kelman; John Blaxland at ‘Fordwich’ on the Wollombi Brook; James Phillips Webber at ‘Tocal’ in the Paterson district; James King at ‘Irrawang’ near Raymond Terrace; and George Wyndham at ‘Dalwood’ on the Hunter River. “*

As noted on the Heritage Inventory sheet for Wills Hill Road as part of the Cessnock Heritage Study, the date of construction is stated as being in the 1830’s, so at the time the Hunter Valley was being settled.

The Glenmore property and rural landscape of Wills Hill Road is also noted as being an important part of the wine production story of the Hunter Valley:

Around 1854 a small vineyard was established and produced wine grapes for a few years on the Macdonald family’s Glenmore property on Black Creek, east of the current site of the LEP listed Glenmore burial ground on Wills Hill Road. (LEP listed Weronga Homestead is also located on the property).

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

Having regard to the objects of the EP&A Act 1979, a Planning Proposal is considered to be the only means of achieving the intended outcomes. Schedule 5 of the CLEP 2011 serves the explicit purpose of preserving items of heritage significance within the Cessnock LGA. Inclusion of Wills Hill Road within this schedule is the only means available to see the item protected by legislation given its significance at a local level.



## **Section B: Relationship to Strategic Planning Framework**

### **3 Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?**

#### **Hunter Regional Plan 2036**

The Hunter Regional Plan (HRP) provides the overarching strategic framework to guide development, investment and planning within the Hunter region to 2036. The HRP sets the following regionally focused goals:

- The leading regional economy in Australia
- A biodiversity-rich natural environment
- Thriving communities
- Greater housing choice and jobs

The Planning Proposal is consistent with the Hunter Regional Plan. The key direction which the planning proposal is consistent with is Direction 19 identify and protect the regions heritage.

Direction 19 of the Plan aims to identify and protect the region's heritage. This Planning Proposal will implement this direction by ensuring that an item that meets the heritage criteria is protected in Schedule 5 of the Cessnock LEP and associated maps. This will allow Council and the community to easily identify items of heritage significance and ensure the item is protected.

#### **Draft Hunter Regional Plan 2041**

The draft Hunter Regional Plan was on public exhibition until 4 March 2022 and the planning proposal is required to consider the document. The proposal is consistent with the directions and principles related to protecting heritage.

#### **Greater Newcastle Metropolitan Plan**

The Greater Newcastle Metropolitan Plan (GNMP) sets out strategies and actions that will drive sustainable growth across Cessnock City, Lake Macquarie City, Maitland City, Newcastle City and Port Stephens, which together make up Greater Newcastle. The plan also helps to achieve the vision set in the Hunter Regional Plan 2036 for the Hunter to be the leading regional economy in Australia with a vibrant new metropolitan city at its heart.

The Planning Proposal is consistent with the strategies actions to preserve and promote heritage.

### **4 Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?**

#### **Cessnock Local Strategic Planning Statement 2036 (LSPS)**

The Cessnock Local Strategic Planning Statement 2036 (LSPS) establishes a 20-year vision for land use planning in the Cessnock LGA. The LSPS sets out the important character and values, which are to be preserved and establishes planning principles to manage land use planning in the future.

The LSPS is divided into four themes. The key theme of unique related to protection and celebrating our unique heritage. The Planning Proposal is consistent with the following Planning Priorities in the Local Strategic Planning Statement:

- Planning Priority 22: Our rural landscape is retained and enhanced
- Planning Priority 23: The scenic and rural landscape of our Vineyards District is preserved
- Planning Priority 25: Heritage based tourism is facilitated and promoted

The Planning Proposal is consistent with the following Planning Principles in the Local Strategic Planning Statement:

- Places of heritage significance are identified and protected.
- The heritage significance of items and areas is recognized and celebrated
- Maintenance of heritage items is encouraged
- Scenic view corridors in the region are protected and enhanced
- The rural character and amenity of the land is preserved and enhanced
- The scenic rural landscape of the Vineyards District is preserved
- Visually significant views, topography and tree-lined road corridors are preserved

The LSPS also contains an action to review the DCP to identify visually significant views and tree-lined roads and provide controls to protect these areas.

### **Community Strategic Plan - Our People, Our Place, Our Future**

The Cessnock Community Strategic Plan 2027 (CSP) was prepared in 2013 and identifies the community's main priorities and expectations for the future and ways to achieve these goals. The vision of the CSP is:

*Cessnock will be a cohesive and welcoming community living in an attractive and sustainable rural environment with a diversity of business and employment opportunities supported by accessible infrastructure and services which effectively meet community needs.*

A range of strategic directions are provided which relate to the social, environmental and economic health, sustainability and prosperity of the Cessnock LGA. The Draft Planning Proposal generally aligns with the following themes and objectives of the Cessnock 2027 Community Strategic Plan (CSP):

- A sustainable and Healthy Environment
  - Objective 3.1 Protecting and enhancing the natural environment and rural character of the area
- Civic leadership and effective governance
  - Objective 5.2 involving more community participation in decision making

## **5 Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

### **A 20-year Economic Vision for Regional NSW**

The Economic Vision for Regional NSW seeks to drive sustainable, long term economic growth in regional NSW. The Planning Proposal will have an economic impact in that it may reduce the future commercial development of the area surrounding Wills Hill Road. Any future commercial development along Wills Hill Road would likely be considered traffic generating development – as such, it would likely require an upgrade of Wills Hill Road to a level capable of servicing the development safely and effectively.

It is worth noting that the Planning Proposal is not anticipated to have any negative economic impact on *existing* developments in the area.

The Planning Proposal will also assist in protecting the heritage of the Hunter Valley vineyards district which is an important tourist destination, and a critical industry cluster. The Hunter Valley is the oldest wine growing area in Australia and the heritage of the area is important in attracting tourists to the area.

Tourists are also attracted to the area by the distinctive rural character, which includes tree line roads of gravel construction. Therefore, by listing Wills Hill Road as a heritage item it will assist in protecting the broader vineyards area heritage character which is significant in drawing tourists to the area and driving the local economy.

### State Emergency Management Plan (EMPLAN)

The State Emergency Management Plan (EMPLAN) provides a coordinated and comprehensive approach to emergency management in NSW. The Plan identifies the importance of land use planning in prevention of impacts of hazards on the community.

## 6 Is the planning proposal consistent with applicable SEPPs?

An assessment of relevant SEPPs against the planning proposal is provided in the table below.

Table 1: Relevant State Environmental Planning Policies

SEPP	Consistency and Implications
State Environmental Planning Policy (Biodiversity and Conservation) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Housing) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Planning Systems) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Primary Production) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Resilience and Hazards) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Resources and Energy) 2021	<b>Consistent</b> Nothing in the Planning Proposal impacts upon the operation of this SEPP.
State Environmental Planning Policy (Transport and Infrastructure) 2021	<b>Consistent</b>

SEPP	Consistency and Implications
	Nothing in the Planning Proposal impacts upon the operation of this SEPP.

## 7 Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?

An assessment of relevant Section 117 Directions against the planning proposal is provided in the table below.

Table 2: Relevant Section 117 Ministerial Directions

Ministerial Direction		Consistency and Implications
Planning Systems		
1.1	Implementation of Regional Plans	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
1.3	Approval and Referral Requirements	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
1.4	Site Specific Provisions	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Planning Systems – Place-based		
Design and Place		
Biodiversity and Conservation		
3.1	Conservation Zones	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
3.2	Heritage Conservation	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
3.5	Recreation Vehicle Areas	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Resilience and Hazards		
4.1	Flooding	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
4.2	Coastal Management	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
4.3	Planning for Bushfire Protection	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.

4.4	Remediation of Contaminated Land	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
4.5	Acid Sulfate Soils	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
4.6	Mine Subsidence and Unstable Land	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Transport and Infrastructure		
5.1	Integrating Land Use and Transport	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
5.2	Reserving Land for Public Purposes	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
5.3	Development Near Regulated Airports and Defence Airfields	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
5.4	Shooting Ranges	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Housing		
6.1	Residential Zones	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
6.2	Caravan Parks and Manufactured Home Estates	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Industry and Employment		
7.1	Business and Industrial Zones	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Resources and Energy		
8.1	Mining, Petroleum Production and Extractive Industries	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
Primary Production		
9.1	Rural Zones	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
9.2	Rural Lands	<b>Consistent</b>

		Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.
9.3	Oyster Aquaculture	<b>Consistent</b> Nothing in the Planning Proposal is contrary to the objectives of the Ministerial Direction.



## **Section C: Environmental, Social and Economic Impact**

### **8 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?**

The planning proposal will not have any adverse effects on threatened species. The tree lined corridor of the road is identified as significant and is required to be protected under the proposed heritage listing.

### **9 Are there any other likely environmental effects of the planning proposal and how are they proposed to be managed?**

The planning proposal will not have any adverse environmental effects. The tree lined corridor of the road is identified as significant and is required to be protected under the proposed heritage listing.

### **10 Has the planning proposal adequately addressed any social and economic effects?**

The Planning Proposal will have an economic impact in that it may reduce the future commercial development of the area surrounding Wills Hill Road. Any future commercial development along Wills Hill Road would likely be considered traffic generating development – as such, it would likely require an upgrade of Wills Hill Road to a level capable of servicing the development safely and effectively.

It is worth noting that the Planning Proposal is not anticipated to have any negative economic impact on *existing* developments in the area.

The Planning Proposal will also assist in protecting the heritage of the Hunter Valley vineyards district which is an important tourist destination, and a critical industry cluster. The Hunter Valley is the oldest wine growing area in Australia and the heritage of the area is important in attracting tourist to the area.

Tourists are also attracted to the area by the distinctive rural character, which includes tree line roads of gravel construction. Therefore, by listing Wills Hill Road as a heritage item it will assist in protecting the broader vineyards area heritage character which is significant in drawing tourist to the area and driving the local economy.

## **Section D: Infrastructure (Local, State and Commonwealth)**

### **11 Is there adequate public infrastructure for the planning proposal?**

The heritage listing of Wills Hill road, will restrict any future upgrades that can take place on the road. The road in its current condition, it suitable for the current uses on the road.

## Section E: State and Commonwealth Interests

### 12 What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

A referral was sent to Heritage NSW, on the 11 March 2022. Heritage NSW responded on 6 April and advised that the Heritage Council, and Heritage NSW as its Delegate, do not have a role in the approval of new Local heritage listings and Heritage Conservation Areas to LEPs, or in the assessment of impacts to existing Local heritage listed under LEPs. As such, they do not provide advice on planning matters which impact on Local heritage. Refer to below response.

From: [REDACTED]

**Sent:** Wednesday, 6 April 2022 11:59 AM  
**To:** Keren Brown <Keren.Brown@cessnock.nsw.gov.au>  
**Subject:** Heritage NSW Response - Planning Proposal - Local Heritage Listing - Wills Hill Road, Lovedale

Hi Keren

Thank you for the opportunity to provide comment on the planning proposal to list 'Wills Hill Road, Lovedale' as a Local heritage item under *Cessnock Local Environmental Plan 2011* (LEP). My apologies that our response is a little late, [REDACTED]

I note that the Heritage Assessment prepared by EJE Heritage indicated that Wills Hill Road met the Heritage Council of NSW's criteria for listing at a Local level. Heritage NSW encourages the identification and listing of this new Local heritage item.

I note that as heritage of local significance is protected under the *Environmental Planning and Assessment Act 1979* and under Council LEPs, Council is the consent authority, and as such:

- listing of new Local heritage items and Heritage Conservation Areas (HCAs), and
- assessment and consideration of impacts on Local heritage items and HCAs rests with Council.

I note that the Heritage Council, and Heritage NSW as its Delegate, do not have a role in the approval of new Local heritage listings and HCAs to LEPs, or in the assessment of impacts to existing Local heritage listed under LEPs. As such, we do not provide advice on planning matters which impact on Local heritage.

Our current legislative responsibilities include the administration of the *Heritage Act 1977* and the administration of the Aboriginal cultural heritage functions under the *National Parks and Wildlife Act 1974*. As we do not have a legislative role in the approval of Local heritage listings or the assessment of impacts to Local heritage, we do not require further referral/consultation on this planning proposal.

If you have any questions about the above, please don't hesitate to contact me.

## **PART 4: MAPS**

The proposal will involve amendments to the following CLEP 2011 map:

- Heritage Map - Sheet HER\_005

Figure 2: Proposed Heritage Map

MAPPING FILES UPLOADED TO PLANNING PORTAL

## **PART 5: COMMUNITY CONSULTATION**

The proposal was publicly exhibited from 20 April to 20 May 2022. An advertisement was placed in the Cessnock Advertiser and notice of the exhibition was sent to property owners on Wills Hill Road. The exhibition material was available for viewing at the Cessnock and Kurri Kurri Library and Councils webpage. No submissions were received.

Following the public exhibition the proposal was reported to Council for consideration. The council reports provided an update on the public exhibition and also recent development applications that had been approved on Wills Hill Road. At the meeting Councilors resolved to reduce the length of Will Hill Road that is being heritage listed. The maps and description in the Planning Proposal have been updated to reflect this.

Council reports are available on Councils webpage and have been uploaded to the Planning Portal.

## PART 6: PROJECT TIMELINE

The project timeline is to assist with tracking the progress of the Planning Proposal through the various stages of the consultation and approval process. A completion date is to be added.

Table 3: Indicative project timeline.

It is estimated that this amendment to the Cessnock LEP 2011 will be completed in 9 months.

Additional technical studies have not been identified as a component of the Planning Proposal. The Departments Gateway determination may make prescriptions relation to technical studies and this may impact on the estimated completion date.

[illegible]



## Appendix 1:

## Heritage Assessment Report

# HERITAGE ASSESSMENT REPORT

## WILLS HILL ROAD LOVEDALE, NSW



**EJE** heritage

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SYDNEY  
GOLD COAST

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## 1. PHYSICAL DESCRIPTION

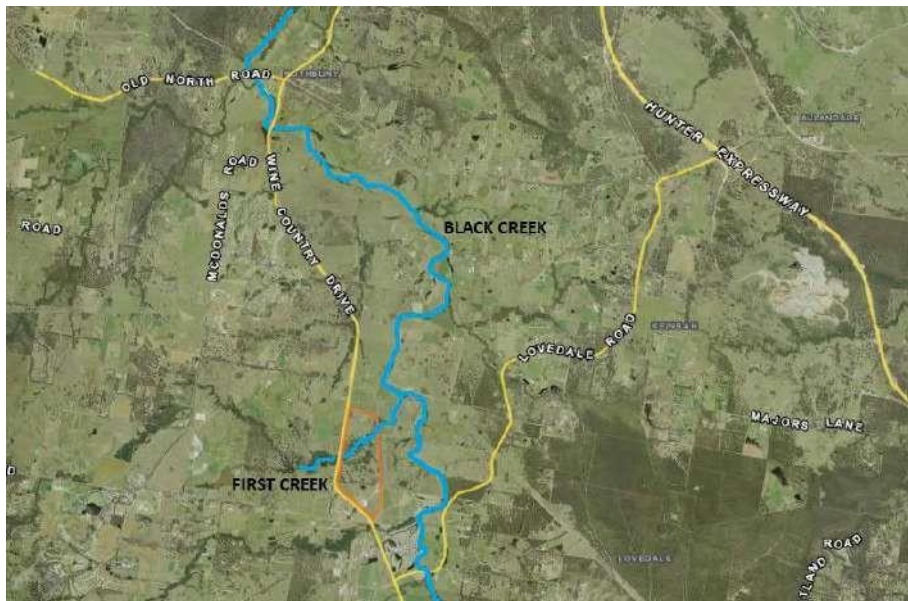


Figure 1: Aerial photo of locality of Lovedale showing the roads (traced in yellow) surrounding Wills Hill Road (outlined in orange). Black Creek and First Creek are highlighted in blue. Source Google Maps



**Figure 2: Closer image of the subject site showing properties along Wills Hill Road. Firstcreek is shown crossing through the middle of the image. Source SIX Maps.**



## Context of Lovedale

Lovedale is located north of Cessnock and east of Pokolbin in the Wine Country District. It is an area of rural properties and has no centre or town but relies on the neighbouring centres for social and requirements. Lovedale Road traverses the area from Southwest to Northeast connecting Wine Country Drive to Allandale.

The various properties within the area are predominantly rural and used for primary production. The production lots have historically been used for crops and cattle and there are still traces of these uses in the district. Many have been cultivated for vineyards and contribute to Wine making and the tourism that the area attracts. A number of Cellar Doors can be found in Lovedale.

Other uses which can be found in Lovedale are Tourist Accommodation facilities which range from self-contained accommodation to Boutique Hotels to the Crown Plaza Hunter Valley Resort. To the south eastern corner of Lovedale lies the Werakata National Park.

## Northern end of Wills Hill Road

The North end of Wills Hill Road includes the Glenmore Cemetery and Glenmore property. Another rural / residential property at 189 Wills Hill Road lies on the southern side of this section of road corridor. North of the road corridor are other rural / residential properties which have their addresses either on Wills Hill Road or Wine Country Drive.

The Glenmore Cemetery is a very old cemetery located next to Wine Country Drive. It is situated on the North end of Wills' Hill Road. Some sources say it was established by members of Methodist and Presbyterian Churches, circa 1867 when it was known as Peacock Hill Cemetery. The cemetery's own signage indicates that it was established in 1870. Legible Headstones contain inscriptions dating between 1874 and 1996.<sup>1</sup>

The land for the cemetery was originally a grant from the McDonald's family and was donated to the Presbyterian Church by George McDonald, one of the early vignerons of the area.

Pioneer families of Rothbury were buried in this site, some of them are now known for their wineries. As well as being recognised with a local heritage listing, the cemetery is also recognised by the National Trust.<sup>2</sup>

The road itself is a single lane with a dirt and gravel surface. For most of the length it is an even surface across the width of the road. In a couple of places it dissipates into twin wheel tracks as some foliage appears in the centre.



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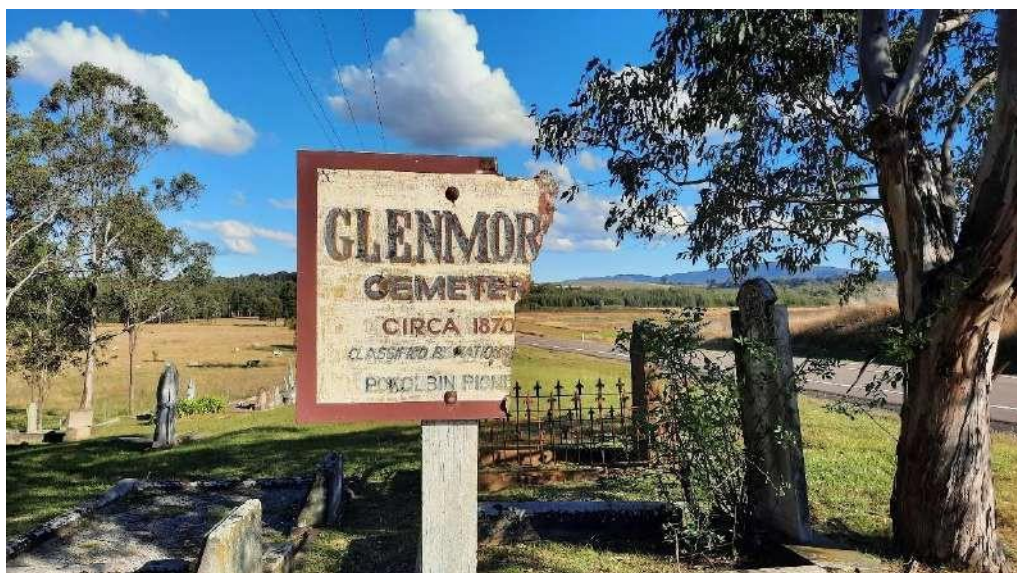
<sup>1</sup> <https://austcemindex.com/cemetery.php?id=615>

<sup>2</sup> <http://www.interment.net/data/aus/nsw/hunter/glenmore/index.htm>



EJE heritage

**Figure 3: Aerial photo showing approximate boundary of Glenmore Cemetery in red outline. The two sections of cemetery located on the North East corner and the South West corner. Source SIX Maps**



**Figure 4: Signage located along Wine Country Drive. Photo EJE**





EJE heritage

**Figure 5: Some of the headstone located few meters away from Wine Country Drive. Photo EJE**



**Figure 6: Headstones are visible from the Wine Country Road. Photo EJE**



**Figure 7: Wine Country Drive has been built up to smooth the gradient and now sits high above Wills Hill Road. Wills Hill Road thus turns to the south to where the levels coincide. Photo EJE**





EJE heritage

Figure 8: Extension of the Wills Hill Road where it connects back to Wine Country Drive. Photo EJE



Figure 9: The northern end of Wills Hill Road near the cemetery. Photo EJE





EJE heritage

**Figure 10: Access gate from Wills Hill Road to a private residence at 189 Wills Hill Rd. Photo EJE**



**Figure 11: The residence at 189 Wills Hill Road. Photo EJE**





EJE heritage

Figure 12: Properties on the north side of Wills Hill Road. Photo EJE



Figure 13: Gated property on the North side of Wills Hill Road. Photo EJE



EJE heritage

**Figure 14: The Glenmore Property gate near the north end of Wills Hill Road. Photo EJE**

#### Central Section of Wills Hill Road

The central part of Wills Hill Road contains near intact original road corridor with substantial trees either side, a lower storey undergrowth supporting wildlife. Very few property entrances disturb the corridor meaning the avenue of vegetation is consistent. Rural fencing is sometimes visible to the sides of the road behind the thick undergrowth.

There are no noted heritage items or curtilages along the central stretch of Wills Hill Road, however the intactness of the character of this section of road is considerable.

The crossing of First Creek is the only place where obvious new material has been incorporated. The creek crossing has been poured in concrete to reduce damage during flooding events.





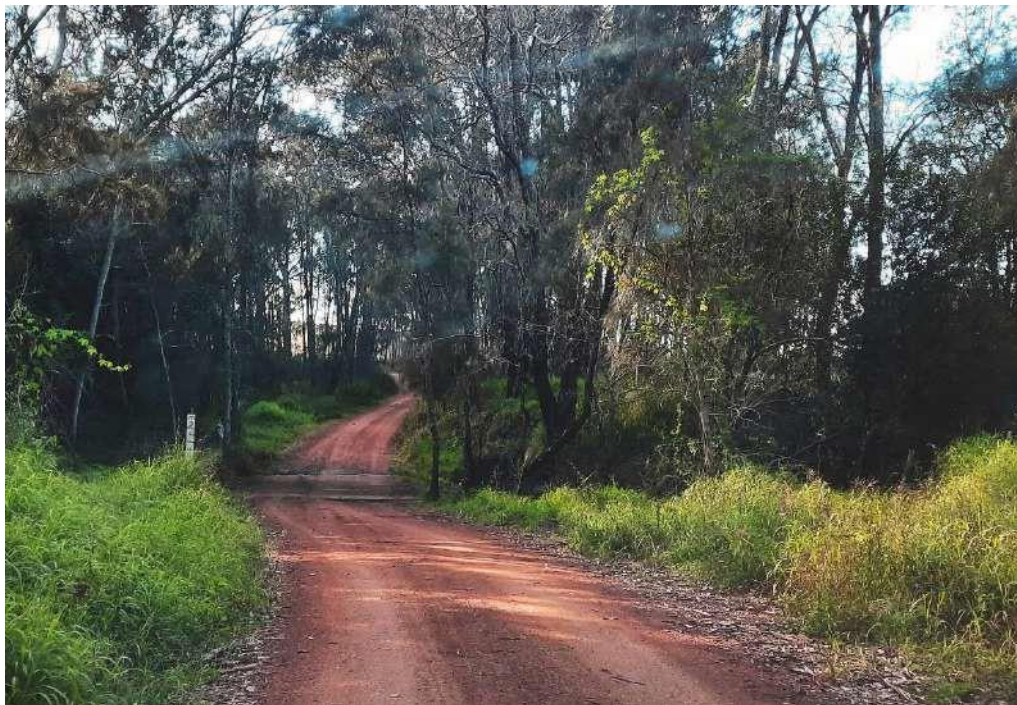
**Figure 15: Looking west from Wills Hill Road into the neighbouring property. Photo EJE**





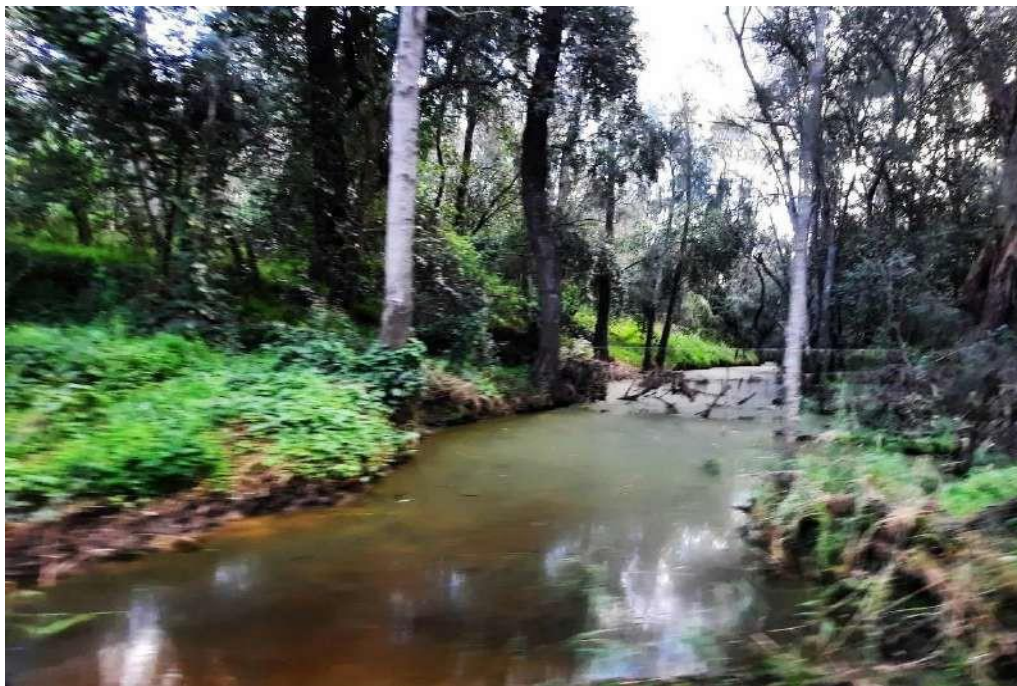
EJE heritage

**Figure 16: Looking northwest from Wills Hill Road. The intact corridor of trees which envelops the road. Photo EJE**



**Figure 17: Photo showing the unsealed road approaching First Creek and the introduced concrete at the crossing. Photo EJE**





**Figure 18: First Creek looking west. Photo EJE**

#### Southern End of Wills Hill Road

The southern end of Wills Hill Road is vastly different by comparison to the central and even the north end of Wills Hill Road. The differences highlight the serious impact that a road upgrade would have upon the near pristine central section of Wills Hill Road. The road in this southern section, while still being loose surfaced, is two lines wide, smooth graded, with wide runoff areas. All the previous trees have been removed and the views from the road are across wide lawns to domestic landscaping. A handful of trees have been planted along the road boundary but they are still quite small.

The uses of the properties at this southern end of the road have given rise to the road upgrade. These uses include at least two which are generators of either high levels and / or heavy traffic. The uses include a Winery, storage for shipping containers, a holiday resort and a solar farm.



**Figure 19: The southern extremity of Wills Hill Road just after it leaves Wine Country Drive. Vineyards are visible beyond, but tree coverage is absent. Photo EJE**



EJE heritage

**Figure 20: The Debortoli Winery just north of Wills Hill Road. The loading facilities at the winery invite regular truck movements. Photo EJE**



**Figure 21: Further north. Some minor tree planting has occurred on the west side of the road. Rural fencing exist on the east. The central part of Wills Hill Road is visible in the background highlighting the made difference between the two sections. Photo EJE**





EJE heritage

**Figure 22: Other residences and cleared ground between Wills Hill Road and Wine Country Drive. Photo EJE**



**Figure 23: At the junction for the Southern section and central sections of Wills Hill Road. Shipping containers are stored in the paddock on the east side. Photo EJE**

### Separated Section of Wills Hill Road

A prior, historic portion of Wills Hill Road is landlocked within the private property of the neighbour to the north. This section of the road retains the tree corridor and might otherwise appear similar to the central or northern sections of Wills Hill Road except for the fact that it is no longer in use and no longer accessible to the general public. It is unclear how much of the surface remains and how much has been overgrown.



**Figure 24: Looking northeast from Wine Country Drive. The tree corridor which previously lined Wills Hill Road is clear as it converges on the new main road. Source Google Streetview**



**Figure 25: Looking southeast at the same corridor of trees as it makes its way down from the hill. Source Google Streetview**

#### The Road Corridor Alignment

On John McDonald's property, known as "Glenmore", the line of the road travelled north through the middle of the property until it crossed First Creek whereby it turned to the west to the property boundary. The Peacock Hill/Glenmore Burial Ground (Cessnock LEP 2011 Local Item I222) is located just south of the intersection of the original Wills Hill Road and the Boundary / line of the new 'Wine Country Drive'.

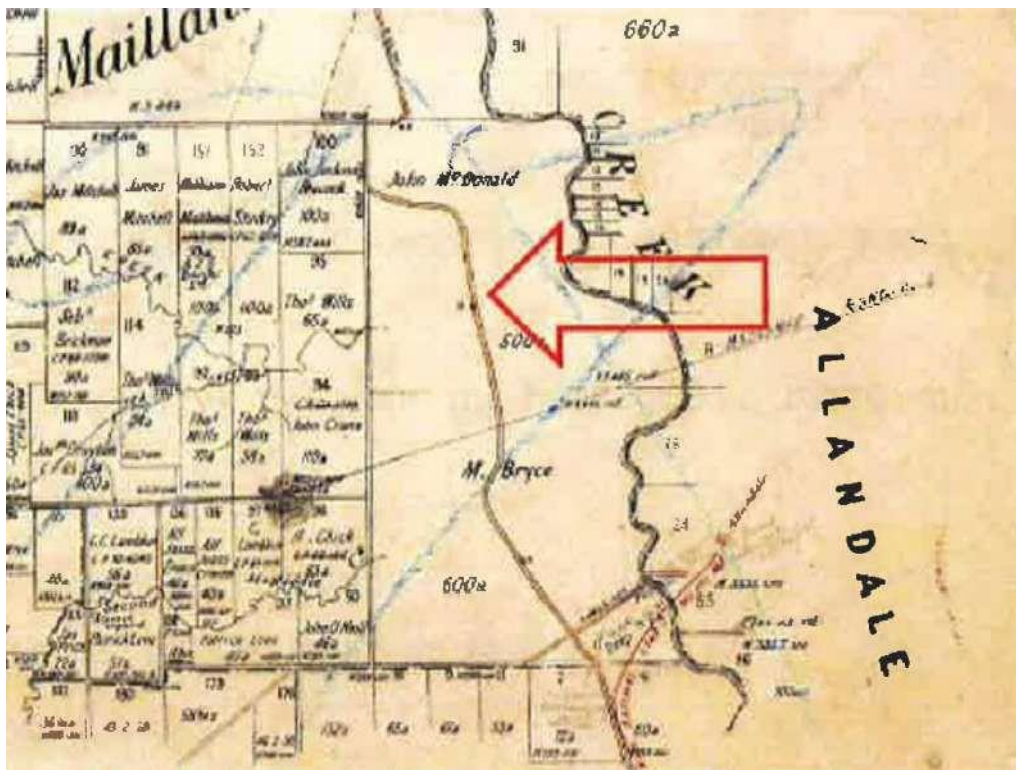
Wills Hill Road's diversion which forced all travellers from the gate of the McDonald's property to the gate of the McDonald's cemetery is more easily explained by the former presence of a church building on that allotment.

At the Glenmore Cemetery, Wills Hill Road made a right angle turn to the north and followed the property boundary to the corner of the Glenmore property and its neighbour. At the northwest corner of the Glenmore

site, the historic line of the road turned back again to the east along the boundary line between John McDonald and Thomas Coulson's property.



Not very far to the east, Wills Hill Road then made another turn of more than ninety degrees to the north where it cut a diagonal line across the bottom corner of Thomas Coulson's property.



This peculiar line of the road persisted until approximately the 1940s when the road on Bryce's property was realigned to intersect with the southwest corner of McDonald's Property and directed north along the property boundary. Wills Hill Road was made largely redundant at this point and only served to reach the historic Glenmore property.

As the road was in such minor use, it did not receive upgrade works until the DeBortoli Winery was established at the southern end of the road. The southernmost 600m was widened and upgraded to provide access into the rear of the DeBortoli site.

The remaining 1.6 km of Wills Hill Road remains as single lane with a dirt surface and very close timber on either side of the corridor. This situation is similar for approximately 300m of the former corridor on Thomas Coulson's property however this corridor is no longer a road reserve and is landlocked within private property.

## The Fabric Which Makes Up Wills Hill Road

### Road surface

Wills Hill Road has never been sealed. The history reveals that the surface of dirt and gravel has been attended to on occasion throughout the history of the road however has never been upgraded for the traffic that the



majority of Wine Country roads now deal with. The road surface and particularly the single lane width which means that simultaneous two-way traffic is not supported, is a highly significant part of the road character.

#### Tree corridor

The other highly distinctive element in the character of Wills Hill Road is the tree corridor which consists of visibly old and tall growth which extends across the whole width of the road. The trees are not maintained and are close in spacing and rough in appearance.

### Verges and undergrowth

At the base of the trees, the road verge, which lies outside the property boundaries is also little maintained and has grown to be quite thick. This undergrowth supports native fauna as well as flora providing safe

### Fences

The rural properties which are in operation have rural style fencing which not only reflects the current use of the land but links back to historic land usage also. The fences are most typically old-style post and rail fences and are not large modern constructions. The fences contribute to the character of the setting.

### River crossing

Wills Hill Road has traditionally skirted along Black Creek and crossed First Creek. This section which has actually been upgraded with a concrete culvert to prevent washout damage during flooding reflects the traditional crossing location. While the concrete is notably modern within the general setting of the road, it is less invasive on the character than would be a modern bridge.

### Views and Setting of Wills Hill Road

Views from Wills Hill Road are dominated by the tree coverage which is close to the road and along with the road surface and verges strongly define a corridor which directs views ahead. To either side of the road are glimpses between the trees of open pastoral land which historically has supported crops and grazing.



**Figure 26: This image shows the typical canopy and closeness of the trees to either side of the road and the heavy growth of the road verges which define the historic road corridor. Photo EJE**





EJE heritage

**Figure 27: Glimpses to the rural properties between the trees provide an understanding of the early pastoral settlement of the region. Photo EJE**

Views towards Wills Hill Road from the surrounding areas generally pick up the tree coverage also. In views from ground level looking toward the east, the tree coverage is lost in the trees lining Black Creek and throughout the National Park beyond.



**Figure 28: View towards Wills Hill Road from near the cemetery. The corridor of trees is immediately obvious. Photo EJE**



EJE heritage

**Figure 29: View to Wills Hill Road from the South is highlighted by the tree canopy enclosing the roadway. Photo EJE**

## 2. HISTORICAL CONTEXT

### 1824 and 1825 Land Grants

Parcels of land in the parishes of Allandale and Rothbury were granted to settlers for the purpose of a future by Governors Macquarie and Brisbane. The active occupation and use of the grants was intended to the the economy of the then colony and convict labourers supervised by the landowners was an effective do so. The earliest grants in Allandale were given to Matthew Bryce (granted 1824), John McDonald (granted 1825) and Thomas Coulson (also granted 1825).

134. JANE COULSON, 2000, Two thousand acres parish of Rothbury on Black Creek; bounded on the north by H. Coulson's grant being lines bearing east 60 chains and north 6 chains to Black Creek; and by the Black Creek; on the east by the Black Creek; on the south by a line bearing west 122 chains; and on the west by a line bearing north 150 chains.  
*Promised by Sir Thomas Brisbane on 21st February 1825 to Thomas Coulson, and possession subsequently authorised to Mrs. Jane Coulson on 10th March 1828.*  
Quit-rent £16 13s. 4d. sterling per annum, commencing 1st January 1836.

Figure 30: Grants of Land released by the Colonial Secretary's office date 28th of March 1839. Source New South Wales Gov't Gazette

John McDonald's property, immediately south of Thomas Coulson's also had Black Creek as its eastern border. First Creek crossed the property. McDonald named his property Glenmore; a name which persists to this day. As well as this grant in Allandale, McDonald received at much the same time the very first grant of land in Pokolbin which eventually became the Ben Ean Vineyard.

### 1828 Dangar Map

Henry Dangar, surveyor, conducted a survey of the lands of the Hunter Valley and published it in 1828. He recorded all of the land which had been granted to settlers by the NSW Governors to that date and gave a description of the qualities and advantages of the land.

As part of the map, Dangar included within the drawing legend:

*Roads made, or in the process of making,*

*Carriage roads and tracks, whereon labor [sic.] has not yet been bestowed*

*Accessible tracks, but not yet much used.*





On Dangar's map three roads are shown emerging from what is the location of Cessnock / Bellbird. One traverses northeast to Telarah / West Maitland and corresponds with the Cessnock Road through Abermain, Kurri Kurri and Weston. One traverses north to Branxton which corresponds to Wills Hill Road. The last travels North by northwest to Castle Forbes and Singleton.

The route of Wills Hill Road on the Dangar Map is very different to what eventuated and the road to Castle Forbes / Singleton appears to have not been built at all.

The main east / west road from Newcastle through to Singleton corresponds mostly with Maitland Road (the New England Highway) however appears to deviate further south than today. It is not readily correlated with a current existing road and may be another that was still being formed.

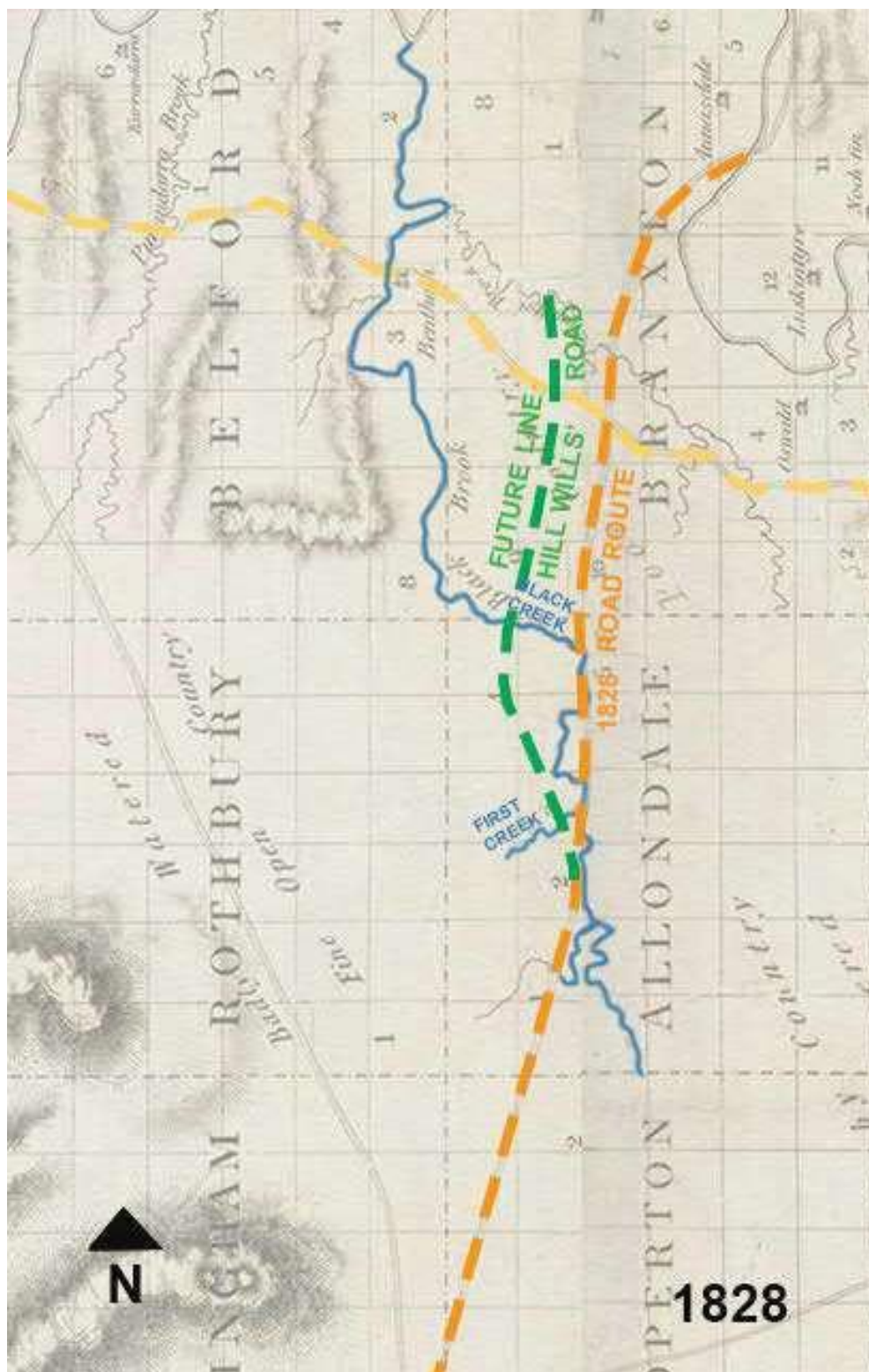


Figure 31: Overlay of 1828 Dangar Map. The route of what was to become Wills Hill Rd is shown crossing Black Creek much further south that what was actually built some time later. It is assumed that the road was being considered at the time. The Maitland Road is visible at the bottom right of the image. An east west road marked in dashed yellow is also shown parallel with what was to become the New England Highway.

## Development of Agriculture and subsequent Wineries in the Hunter Valley

A large number of wealthy settlers received grants, typically of 2000 acres each, and by the 1820s there were 191 properties established in the region.<sup>3</sup> Cattle grazing was the main economic driver though land with ready access to water was able to support crop growing also. It was realised that the vicinity of Brokenback Mountains was excellent for growing grapes. Much of the rest of the Hunter Valley is unsuitable due to heavy clay or acidity.

Viticulture in the Hunter Valley is thought to have begun around the 1820's, with 20 acres of vines planted in 1823 in the areas of today's Gresford and Dalwood on the banks of the Hunter River.<sup>4</sup> The origin of the region's winemaking success however is attributed to amateur viticulturalist James Busby who, having studied viticulture and undertaking an extensive tour of Spanish and French vineyards, arrived in the NSW colony in 1824 with 700 cuttings of European vines.<sup>5</sup> Busby arrived with his parents and also his sister Catherine, who had formed a relationship with fellow passenger William Kelman on the voyage from England. The couple were soon married and received some of the first land grants on the upper Hunter River at Kirkton, near today's Morpeth. James Busby donated half his collection of vines to the newly formed Royal Botanic Gardens in Sydney, and the rest were planted on the Kelman estate. From this beginning the Hunter wine industry quickly grew, with registered vineyards in the valley exceeding 500 acres by 1840.<sup>6</sup> The pioneering families of the Hunter Valley Wine industry had begun to work their craft in the Hunter region in the later part of the 19th century, including the Tullochs, Tyrells, Wilkinsons and Draytons, along with the establishment of a vineyard by Dr Henry Lindeman.<sup>7</sup>

## 1846 County of Northumberland Map

In 1846, the County of Northumberland Map showed the existence of the Cessnock road to Telarah / West Maitland which was noted on the 1828 Dangar Map, however the road to Castle Forbes is clearly absent.

The east west road which was shown on the Dangar Map in 1828 still appears but is still not recognisable with a current alignment today.

The road which would become Wills Hill Road is shown only extending as far as about Nulkaba and no further north at this date.

What is also clear in this map is the existence of what is now known as Talga Road and Old North Road which skirts south of the highway and farther south than the line shown on the 1828 and 1846 maps.



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<sup>3</sup> Johnson S. Hunter Valley Heritage Vineyards: Strategic Study, p7

<sup>4</sup> <https://www.winecountry.com.au/wine/history-hunter-valley>

<sup>5</sup> The Sydney Morning Herald (smh.com.au) - Pokolbin, 8 Feb 2004.

<sup>6</sup> <http://pokolbin.weebly.com/history.html>

<sup>7</sup> <https://www.winecountry.com.au/wine/history-hunter-valley>

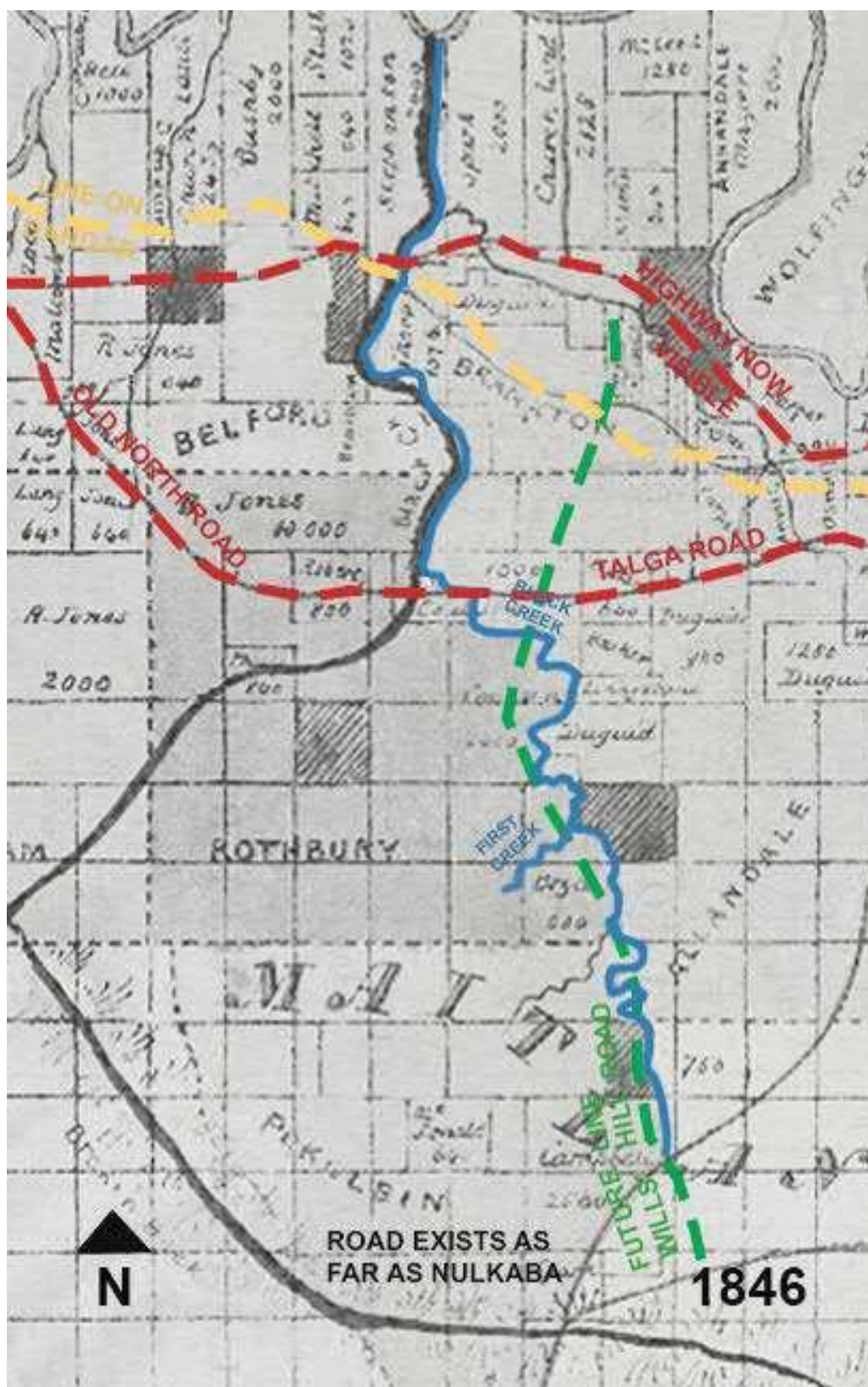


Figure 32: Overlay of the 1846 County of Northumberland Map. The Maitland Road, Talga Rd and Old North Road are clearly in place. Only a small portion of what was to become Wills Hill Rd exists emerging from Cessnock about as far as Nulkaba. The dashed yellow line which corresponds to the 1828 map traces a road on this map also, however does not persist onto the following maps. The line of Maitland Road / the New England Highway is now visible travelling from Maitland through to Singleton.

## John McDonald and the Glenmore Property

As one of the first grants in the region, Glenmore was soon cultivated and was also one of the first estates in the region. Cattle grazing and crop cultivation both carried out on the property. Wheat is have been grown at Glenmore, and Sorghum at the adjacent Peacock Hill. John McDonald commenced building the homestead at Glenmore in 1836<sup>8</sup>, though it has evolved constantly in the years since.



**Figure 33: Stooks of sorghum (sacaline variety) on 'Peacock Hill' property – Rothbury. Source State Library of NSW**

John McDonald first attempted growing grapevines at Glenmore in 1854,<sup>9</sup> but it is doubtful that it was a successful venture as the vines have not persisted. The McDonalds were however very successful with the vineyard that was planted on their property in Pokolbin. In 1870 the "Sunshine Vineyard" was established and became the Ben Ean Winery.

At the northwest corner of the Glenmore property, the McDonald family gifted a parcel of their land to construct a church and create a cemetery. The church building was alternately used by the Methodists and Presbyterians on Sundays.<sup>10</sup> The cemetery was cut into two sections, one side was Presbyterian and the other was for the Methodist. Published obituaries on the newspapers also included on which side of the cemetery the funeral was to happen.<sup>11</sup>

## County of Northumberland Maps from 1864 and 1872

These two maps are very clear in their depiction of Wills Hill Road extending from Cessnock through to Branxton. Wills Hill Road is the only North / South travelling road in the vicinity of the vineyards. Wills Hill Road would have been the main thoroughfare to the north and south connecting Cessnock with the Hunter Valley (including Singleton) via the highway, the railway and the river.

- <sup>8</sup> Walker, M. and Pike, P. City of Cessnock Heritage Study 1992-93, Inventory Sheets
- <sup>9</sup> Johnson S. Hunter Valley Heritage Vineyards: Strategic Study, p26
- <sup>10</sup> State Heritage Inventory. Peacock Hill / Glenmore Burial Ground listing
- <sup>11</sup> Cessnock Eagle and South Maitland Recorder, Friday 21 February 1930, page 4



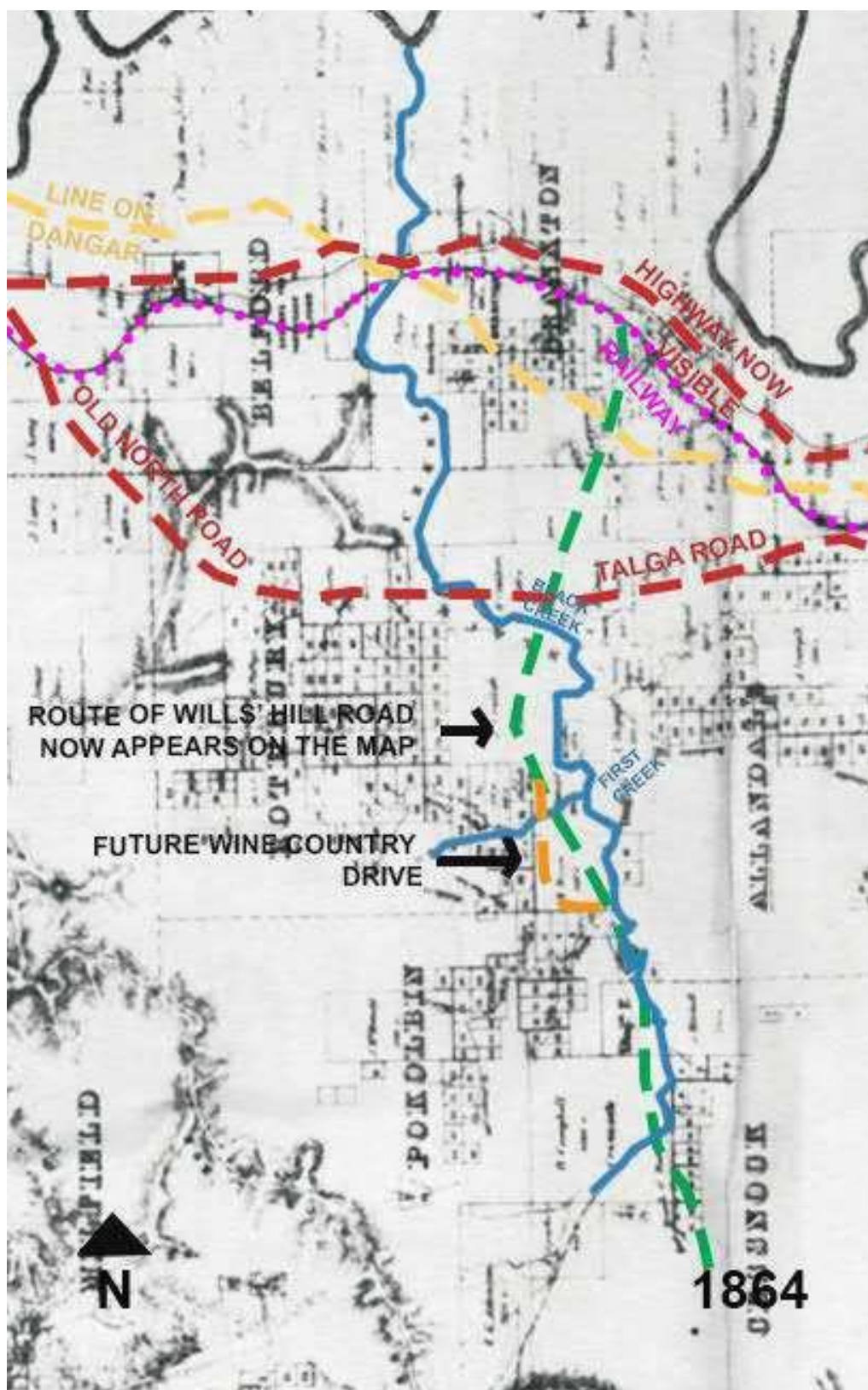


Figure 34: Map overlay showing Rothbury, Pokolbin and Allandale districts on 1864 County Northumberland Map. The line of Wills Hill Rd is faint and difficult to see on this map, but does appear and confirms its existence by this date. Talga Road and Old North Road also appear on this map. The dashed yellow line which corresponded to roads on previous map does not correspond with a road on this map. The Highway is clearly visible and the Railway has now appeared on this map.

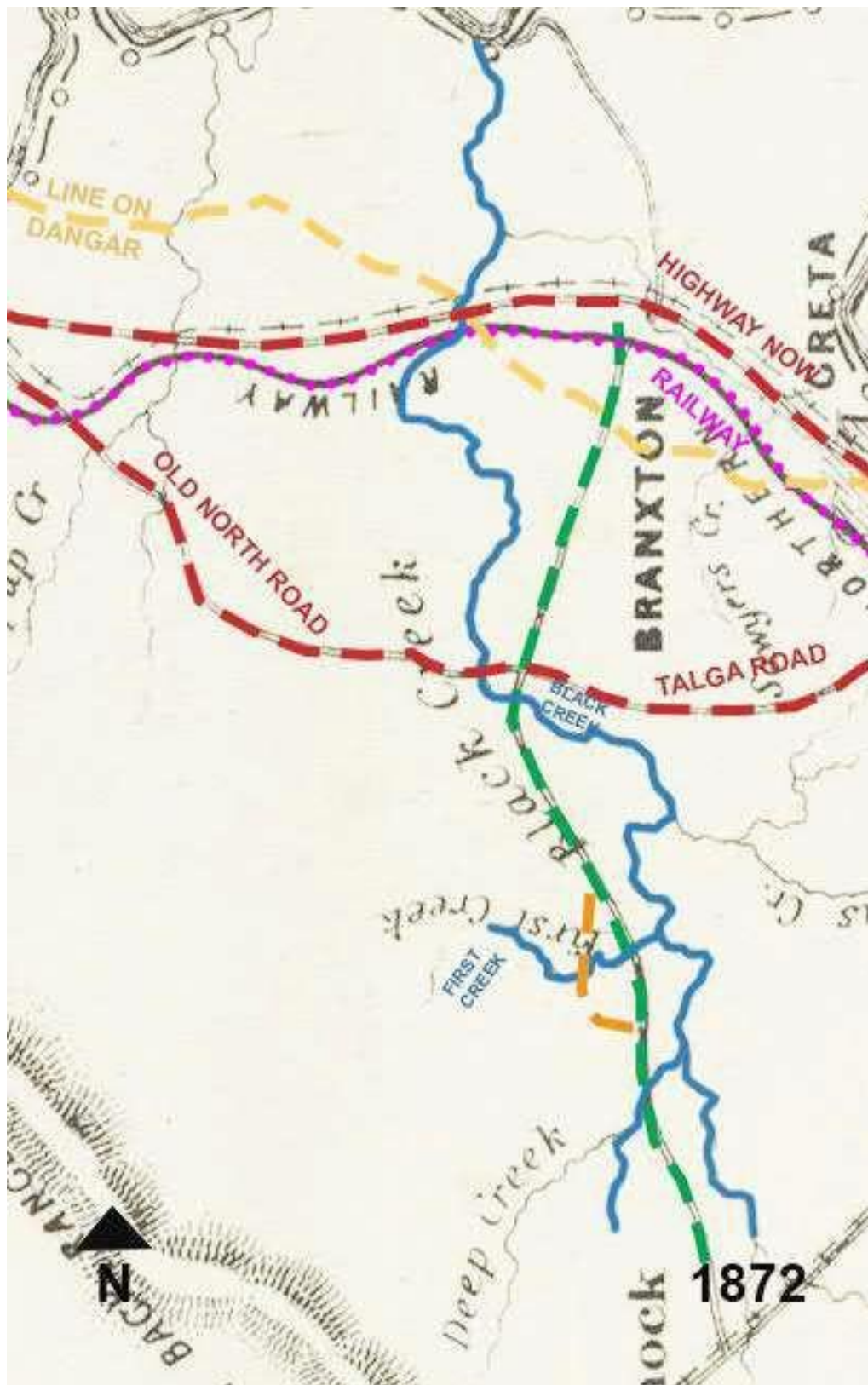


Figure 35: Overlay of the 1872 County of Northumberland Map. Wills Hill Rad is very clearly shown. We have indicated the line of the later bypass to create Wine Country Drive in orange. Talga Road, Old North Road, the Highway and the Railway are all clearly shown also.



## Wills Hill Road in the Early Twentieth Century

At the turn of the century the road is at this time known as the Wills Hill Road and is also denoted as a road where it appears in articles and advertisements. It is clearly being used to carry the mail and other deliveries between Cessnock and the settlements to the north.

Road tenders to upgrade the road to Branxton were opened in 1900 at Maitland. The stretch of road intended to run from Pokolbin to Wills Hill Road. The lowest tender was submitted by G.D. Matthews with a price of £37<sup>12</sup>. The difficulties that this section of road continued to cause enough concern that plans to bypass the problems and correct the circuitous route of the road were made. The closure of the isolated section of Wills Hill Road on Thomas Coulson's property was announced in the Government Gazette of the 29<sup>th</sup> of May 1902.<sup>13</sup>

A new bus route to Wills' Hill was created in 1942 to bring people to work.<sup>14</sup> The licence applications for bus run were submitted by two proprietors: Rover Motors and Peden and Batterham. In response to these applications, few issues were raised and led to a joint meeting of two councils of Cessnock and Kearsley. Some individuals complained about the expensive busfares and were compared to that of Newcastle. There was also a confusion which company will run the new route since the two councils did not approve the same proprietor. In the meeting, the committee learnt some concerns about incapability of doing the bus run and selling of licence to other proprietors. It was decided in the end that there will be alterations of runs and assigned pick-up points. Carrying of parcels also was permitted.<sup>15</sup>

The Parish Map reveals that Wills Hill Road was bypassed in the 1940s and the main traffic route was established along the original boundary line of the McDonald Property.

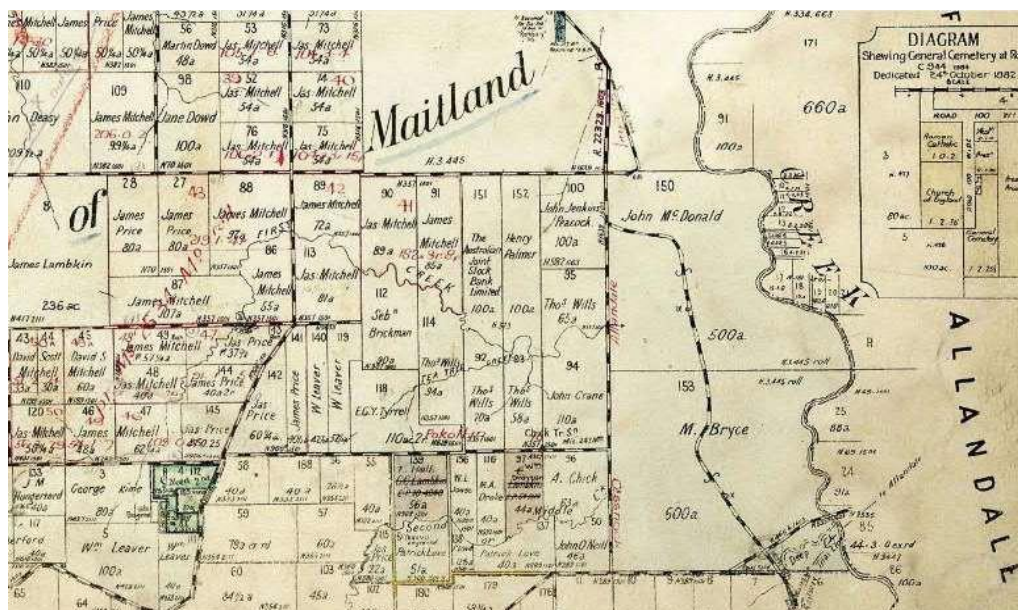


Figure 36: Parish Map of Rothbury dated 1922.

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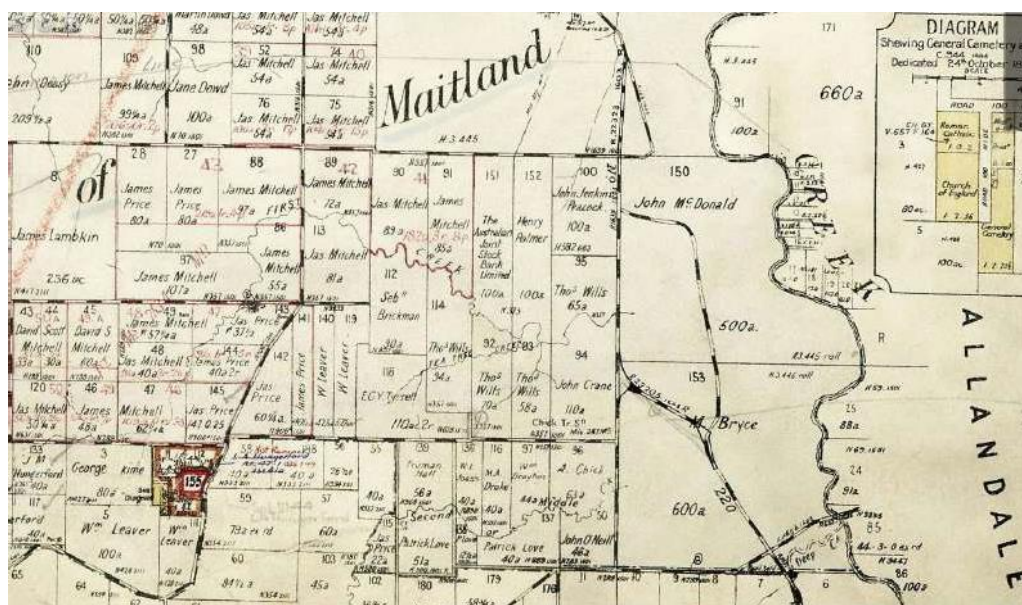
<sup>12</sup> Maitland Weekly Mercury (NSW : 1894 - 1931), Saturday 8 September 1900, page 4

<sup>13</sup> Government Gazette of NSW 29<sup>th</sup> May 1942, Volume 81 p1800

<sup>14</sup> Cessnock Eagle and South Maitland Recorder, Friday 24 July 1942, page 6

<sup>15</sup> Cessnock Eagle and South Maitland Recorder, Friday 31 July 1942, page 3





**Figure 37: The Parish Map from 1942 showing the road deviating on Bryce's property to the southwest corner of McDonald's property. The section of Wills Hill road on Thomas Coulson's property becomes isolated at the same time. The new road alignment is formed directly along the McDonald's property boundary and projects north till it joins with the old corridor again on Coulson's property.**

#### Heritage Recognition of the Area around Pokolbin and Lovedale

Borne out of a movement in the United Kingdom, the National Trusts were the first bodies to take steps to protect places affected by European settlement in Australia. A NSW chapter of the National Trust was formed in 1945 followed by the other states until eventually in 1965 a National Body was formed which united the state chapters.<sup>16</sup> It was the National Trust NSW Chapter that first recognised the winery region of the Hunter Valley as being significant in the development of Australia through the listing of the Pokolbin Cultural Landscape during 1982.

The Australian Heritage Commission was created in 1973 under the recently elected Whitlam Government.<sup>17</sup> Their purpose was the creation of a Register of the National Estate which was the first statutory heritage list in the country. The register was compiled through submissions from citizens all over the country and of course included sites from the entire nation. Listing of the Pokolbin Valley Landscape Conservation Area on the Register of the National Estate occurred circa the 1990s and the description of the area made particular reference to Black Creek which Wills Hill Road runs roughly parallel with.

Both the property of Glenmore (Ref 199) and the corridor of Wills Hill Road (Ref 277) were identified in the City of Cessnock Heritage Study 1992-93 prepared by Penelope Pike & Meredith Walker and recommended for inclusion in the Cessnock LEP schedule. The brief Statement of significance for Wills Hill Road in this study stated: 'Evidence of early and continuing agricultural and grazing use of land in this area from the 1830s. Illustrates the character and components of a 19th [century] rural landscape.'<sup>18</sup> This particular recommendation was not carried out however.

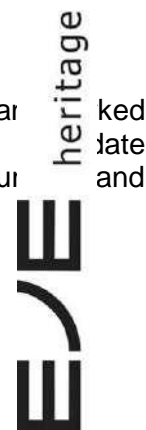
<sup>16</sup> Yencken, D. Valuing Australia's National Heritage, p31

<sup>17</sup> Ibid, p44

<sup>18</sup> Walker, M. and Pike, P. City of Cessnock Heritage Study 1992-93, Inventory Sheets

## The McDonald Family vacate Glenmore

The McDonald Family held on to the property of Glenmore for numerous generations. They resided at the land there until early 2002 when the property was subdivided and the current titles created. This concluded the McDonald Family's association with the site which had commenced in 1825. One hundred and seventy seven years.



## The Increased Use of the Hunter Valley Region for Tourism

Vineyards had of course existed in the region for many years. Trade had occurred between the vineyards and the city merchants. As access to motorised vehicles grew, vineyards with established cellar doors invited day trips from surrounding regions such as Cessnock, Maitland and Newcastle.

The Great North Road, and then the Pacific Highway from 1930 made personal travel possible from Sydney, however it was still a long and arduous trip. The completion of the F3 Freeway (now M1 Motorway) in the early 1980s made it far easier to make a day trip up from Sydney.

The airfield, which was constructed by the Department of Main Roads during World War II would have catered for buyers and business people from interstate following the War. As air travel became more accessible and affordable, it also permitted visitors from these far-flung locations.

Side businesses such as the Hunter Valley Zoo, Hunter Valley Gardens, Balloons Aloft and Cypress Lakes widened the potential tourist audience from just those who appreciate wine and opened opportunities for families to visit the region. All of this increased the numbers of tourists in the region and the duration that these visitors would want to stay. Various forms of accommodation were created to allow trips to be longer than just the day. The winery region was becoming a destination for holidays.

Lindeman's Wines was a major sponsor of the Sydney 2000 Olympics. The Lindeman's Brand with its flagship Winery and Cellar Door on the doorstep of Sydney projected the Hunter Valley onto television screens around the world and invited international tourism. Tourists from overseas were able to Fly in to Sydney and then transfer onto a smaller aeroplane to reach the Hunter Valley.

The huge influx of tourists from all over the country and all over the world soon proved that the roads in the region were completely inadequate. All thoroughfares were upgraded out of necessity – with increase of width of carriageway, width of verges either side, surface materials, grading for drainage, barriers, markers and signage. These factors all radically altered the appearance of the former rural tracks and there was no going back.

Wills Hill Road, which was in such minor use, did not receive upgrade works until the DeBortoli Winery purchased the allotment at the southern end of the road. The southernmost 600m was widened and upgraded to provide access for heavy vehicles into the rear of the DeBortoli site. It was graded and levelled and widened.

All adjacent planting was removed and as such the character of this section is markedly different than even just a few metres north of the upgraded section. Like the other roads in the region – once the upgrade was completed, there was no way to return to the former situation. What was seen as progress was only permitted to go forward.

#### Current development proposals

There is no doubt that the region of the Hunter Valley Wineries has become popular and has every reason to remain so. More and more tourists in the region provide opportunities for more and more attractions and accommodation options. The pressure to develop properties to maintain economic momentum is clearly recognisable.



The need to conserve parts of the region so that future generations will be able to understand how this region came into being has long been recognised. First by the National Trust and then by the Register of the National Estate. The region is made up of numerous parts and Wills Hill Road is an important historic landscape which is connected to the property of one of the earliest landowners.

A recently approved development upon Wills Hill Road DA8/2020/20875/1 involves a Solar Farm of 1 MW capacity being inserted into what was historically one of the paddocks of Glenmore. Council have approved the development with conditions of consent to minimise the visual impact upon the setting of Wills Hill Road. These conditions include the limitation of construction traffic on Wills Hill Road, the prevention of vehicle removal from Wills Hill Road, and the creation of a wide landscape buffer to protect the rural setting viewed from the road. The site of the now approved Solar Farm has an advantage that, if needs be, access may be gained from Wine Country Drive.

There are currently three development proposals which affect the properties on the east side of Wills Hill Road including the allotment containing the Glenmore Homestead. These properties do not share a boundary with Wine Country Drive and must be accessed via Wills Hill Road.

DA8/2021/21250/1 is a proposed museum of 536m<sup>2</sup> and DA8/2021/21333/1 is a proposed Art Gallery of 1038m<sup>2</sup>.

DA8/2021/21634/1 is the proposed conversion of an existing Rural Shed into a Function Centre.

Each of these has the potential to impact the rural / agricultural setting of Wills Hill Road. Each of these proposals raises the potential for future road upgrades in order to cater for traffic travelling to and from them and parking requirements. The road upgrades are likely to be as invasive as that which was executed to gain access to the rear of the DeBortoli Site and therefore a direct comparison between before and after is easily discovered.



### 3. ARCHAEOLOGICAL POTENTIAL

Wills Hill Road was the primary corridor between Cessnock and the Hunter Valley and the first north-south road in the Winery Region. It is likely to have sustained substantial traffic (relative to the population of development) between the 1860s and the 1940s.

The roughness and the route of the road would have caused wear and tear upon vehicles travelling the route. Potential exists for ironmongery of carts which historically used the road and may have been doing so. This could include bolts and nails to metal springs or rims.

Historic farming equipment of metal may be discoverable belonging to the McDonalds who owned the property either side of this portion of the road.

heritage



## 4. HERITAGE ASSESSMENT CRITERIA

The NSW heritage assessment criteria encompass four generic values in the Australian ICOMOS *Burra Charter* 2013: historical significance; aesthetic significance; scientific significance; and social significance.

These criteria will be used in assessing heritage significance of the place.

The basis of assessment used in this report is the methodology and terminology of the *Burra Charter* 2013; James Semple Kerr, *The Conservation Plan: A Guide to the Preparation of Conservation Plans for Places of European Cultural Significance*; <sup>19</sup> and the criteria promulgated by the Heritage Branch of the NSW Office of Environment and Heritage. The *Burra Charter* 2013, Article 26, 26.1, states that:

*Work on a place should be preceded by studies to understand the place which should include analysis of physical, documentary, oral and other evidence, drawing on appropriate knowledge, skills and disciplines.*

Places and items of significance are those which permit an understanding of the past and enrich the present, allowing heritage values to be interpreted and re-interpreted by current and future generations.

The significance of the place is determined by the analysis and assessment of the documentary, oral and physical evidence presented in the previous sections of this document. An understanding of significance allows decisions to be made about the future management of the place. It is important that such decisions do not endanger its cultural significance.

The *NSW Heritage Manual*, prepared by the former NSW Heritage Branch and Department of Urban Affairs and Planning, outlines the four broad criteria and processes for assessing the nature of heritage significance, along with two added criteria for assessing comparative significance of an item.

### Heritage Significance Criteria

The NSW assessment criteria listed below encompass the following four values of significance:

Historical significance

Aesthetic significance

Research/technical significance

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## Social significance

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<sup>19</sup> (7<sup>th</sup>ed). Burwood: Australia ICOMOS, 2013.



Listed below are the relevant Heritage Assessment Criteria identified in the Heritage Act:

**Criterion (a)** An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (b)** An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (c)** An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

**Criterion (d)** An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

**Criterion (e)** An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (f)** An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (g)** An item is important in demonstrating the principle characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).



An Assessment of Significance requires that a level of significance be determined for the place. The detailed analysis uses the levels of significance below:

<b>LOCAL</b>	Of significance to the local government area.
<b>STATE</b>	Of significance to the people of NSW.
<b>NATIONAL</b>	Exhibiting a high degree of significance, interpretability to the people of Australia.

## 4.1 Analysis Of Significance

### Historical Significance

Criterion (a) An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION	Guidelines for EXCLUSION
Shows evidence of a significant human activity	Has incidental or unsubstantiated connections with historically important activities or processes
Yes - Wills Hill Road is a part of one of the first roads in the winery region, being the first north / south road. It was the main thoroughfare between Cessnock and the Upper Hunter Valley.	N/A – the maps demonstrate that the connections are strong.
Is associated with a significant activity or historical phase	Provides evidence of activities or processes that are of dubious historical importance
Yes - Wills Hill Road was first pre-empted around the time of the first land grants in the region, appearing upon the 1828 Dangar Map of the Hunter Valley. It was clearly established by the time of the development of the wineries of the Pokolbin region being clearly visible and in operation on maps from the 1860s and 70s. Its route which remains current today is clearly depicted on the Parish Maps of the 1880s.	N/A – agriculture and particularly the development of wineries in this region is of great importance
Maintains or shows the continuity of a historical process or activity	Has been so altered that it can no longer provide evidence of a particular association
No – only in comparison with Wine Country Drive can the historical process of road infrastructure upgrades in the winery region be fully interpreted.	No – Wills Hill Road has been somewhat stalled in time since the 1940s which has conserved its integrity and intactness.

The alignment of Wills Hill Road was clearly defined on the 1880s Parish Map, and in the 1860s and 70s maps of the County of Northumberland is shown to be established. It may date back as an informal track as early as the 1830s which is very close to the date of the earliest land grants in this vicinity but was certainly well established and operable at the time of the winery development of the region. Wills Hill Road was not substantially upgraded during its common use and the majority has not been upgraded since the 1940s when it was bypassed by Wine Country Drive. It retains the alignment as well as a majority of the character of the early track-like road which happened to be the main thoroughfare through this important landscape. It was the first

established north / south road in the wineries district which served to connect Cessnock to the Hunter Valley. Wills Hill Road may demonstrate historic significance locally and most likely regionally

Criterion (b) An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION	Guidelines for EXCLUSION
Shows evidence of a significant human occupation  No – The road was never occupied per se.	Has incidental or unsubstantiated connections with historically important people or events  No – the connections with the McDonalds are not incidental.



- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>Is associated with a significant event, person, or group of persons<br/>Yes - Wills Hill Road has clear and inextricable associations with the McDonald Family whose property it crossed and whose residence it connected to. The unusual circuitous route which the road took is believed to have some connection with the McDonalds.</li> </ul> | <ul style="list-style-type: none"> <li>Provides evidence of people or events that are of dubious historical importance<br/>No – the McDonalds are an important family in the region of Pokolbin and the Hunter Valley wineries; and Yes - The Road is named after Thomas Wills, another nearby landowner but his importance is not substantive.</li> <li>Has been so altered that it can no longer provide evidence of a particular association<br/>No – Wills Hill Road has been somewhat stalled in</li> </ul> |
|--|--|



Wills Hill Road has associations with a number of the earliest settlers in this vicinity: Thomas Wills after whom the road and presumably the hill is named; and John McDonald who was one of the first grantees in the county of Allandale (and the first grantee in the parish of Rothbury) and one of the early vigneron in the winery region. The remaining section of Wills Hill Road crossed the McDonald's Glenmore Property and provided direct access to the Glenmore Homestead. The McDonald family lived on this property until the year 2002 when the property was subdivided into the current lots. Wills Hill Road is able to demonstrate local significance due to its historical associations. Its associations with the McDonald Family who were influential in the early stages of the wine industry of the Hunter Valley and important in the Winery region may meet the threshold for State significance.

### Aesthetic And Technical Significance

Criterion (c) An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

Guidelines for INCLUSION	Guidelines for EXCLUSION

Shows, or is associated with, creative technical innovation or achievement	Is not a major work by an important designer or artist
No	Yes
Is the inspiration for a creative or technical innovation or achievement	Has lost its design or technical integrity
No	No – the road is not necessarily designed or technical
Is aesthetically distinctive	Its positive visual or sensory appeal or landmark qualities have been more than temporarily degraded
Yes – Due to its landscaping and condition which has been left to run its course typically without maintenance or upgrade.	No
Has landmark qualities	Has only a loose association with a creative or technical achievement
Yes – Due to its landscaping and condition which has been left to run its course typically without maintenance or upgrade.	Yes
Exemplifies a particular taste, style or technology	
Is characteristic of nineteenth century road establishment	

Wills Hill Road is able to demonstrate the aesthetic character of a 19th century road bounded by agricultural land which would have been common at that time but is now rare in the region of the Hunter Valley Wineries whose roads have largely been widened and sealed to cope with tourist traffic. Wills Hill Road may meet the threshold for significance locally and possibly regionally for its aesthetic representation of a nineteenth century roadway in this region.

## Social Significance

Criterion (d) An item has strong or special association with a particular community or cultural group in the local area) for social, cultural or spiritual reasons.

Guidelines for INCLUSION	Guidelines for EXCLUSION
Is important for its associations with an identifiable group  Yes – Wills Hill Road is held in high esteem by the local community who are concerned for the conservation of the road corridor for a number of reasons.	Is only important to the community for amenity reasons  No – conservation of the road is likely to be counter to the amenity of the community, however will be positive for the retention of significance.
Is important to a community's sense of place  Yes – A number of the concerned community have addresses on this road and the approach to their properties is definitely important to their sense of place.	Is only retained in preference to a proposed alternative  No – retention of Wills Hill Road is the prime preference.

Previous professional studies have identified the significance of Wills Hill Road and the genesis of this Heritage Assessment Report has been generated by members of the local community who are concerned for the conservation of the historic road corridor. The significance of the road means more to the local community than would the convenience of upgrading the road for smoother access. Wills Hill Road might demonstrate significance locally for the esteem by which it is held in the community.

## Research Significance

Criterion (e) An item has the potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION	Guidelines for EXCLUSION

	<p>Has the potential to yield new or further substantial scientific and/or archaeological information</p> <p>Yes - The remainder of that which was Wills Hill Road (now Wine Country Drive) has been widened, straightened, graded, tar- sealed, and lined with barriers. Wills Hill Road is the last remaining portion of the 19<sup>th</sup> century main road between Cessnock and the Hunter Valley and one of very few nineteenth century roads in the district which remains intact. It has potential to provide information accurate about road establishment and construction in the 19<sup>th</sup> century in the region of the Hunter Valley as well as the aesthetic character of rural roads in this region at that time. The reason for the unusual circuitous route of the road corridor appears to have something to do with the McDonald's Glenmore property, and to research this factor would be to reveal unknown information.</p>	<p>The knowledge gained would be irrelevant to research on science, human history or culture</p> <p>N/A – The wineries of the Hunter Valley region are important in Australia and known worldwide. Information and evidence of the early days of their settlement will be important to retain.</p>
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<ul style="list-style-type: none"> <li>• Is an important benchmark or reference site or type Yes – Wills Hill Road is an important reference site which can inform the studies of other nearby main road corridors</li> <li>• Provides evidence of past human cultures that is unavailable elsewhere Yes – All other roads of this vintage in the Winery region have been upgraded, typically multiple times</li> </ul>	<ul style="list-style-type: none"> <li>• Has little archaeological or research potential N/A</li> <li>• Only contains information that is readily available from other resources or archaeological sites No – it is unlikely that the information discoverable here will be able to be found readily elsewhere.</li> </ul>
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Wills Hill Road provides an opportunity to understand the makeup, character and appearance of a nineteenth century main rural road within the Hunter Valley as well as the potential difficulties which faced travellers of the period. The alignment of the road, which turns toward and away from the established property boundaries provides a point to research of which unknown information may be discovered. Due to the integrity and intactness of this section; Wills Hill Road has the potential to reveal information which is not likely to be available elsewhere.

### Rarity Significance

Criterion (f) An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

Guidelines for INCLUSION	Guidelines for EXCLUSION
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<p>Provides evidence of a defunct custom, way of life or process</p> <p>Yes – This nineteenth century main thoroughfare is nothing like that which is expected and routinely constructed nowadays.</p> <p>Demonstrates a process, custom or other human activity that is in danger of being lost Yes – Due to the increased (and increasing) traffic in the winery region, all roads are under pressure to upgrade to cater for Tourist Coaches and the like.</p> <p>Shows unusually accurate evidence of a significant human activity</p> <p>Yes – The road has undergone very little in the way of upgrades since it was bypassed in the 1940s and therefore the evidence it provides of nineteenth century road establishment and construction is unusually accurate.</p> <p>Is the only example of its type</p> <p>Yes – in the winery region of the Hunter Valley; and No – there may be other roads similar in appearance and character beyond the winery region and into other LGA's. The Great North Road has a high level listing, however the purpose and the</p> <p>duration of active service of the Great North Road is very different to Wills Hill Road.</p>	<p>Is not rare No</p> <p>Is numerous but under threat</p> <p>No – this is one of two identified seminal roads in the winery region and the only example that remains substantially intact.</p>
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- Demonstrates designs or techniques of exceptional interest  
Yes – the way in which the road, which was a thoroughfare, was established upon such a circuitous route responding to the Glenmore property and infrastructure is of great interest.
- Shows rare evidence of a significant human activity important to a community  
Yes – Wills Hill Road is able to demonstrate life and transport



Wills Hill Road is the first north / south thoroughfare which connected Cessnock to the Hunter Valley. It is rare in this vicinity as the only section of nineteenth century road connecting two substantial centres which remains largely intact. It is likely to meet the threshold for rarity significance locally and possibly regionally.

### Representative Significance

Criterion (g) An item is important in demonstrating the principal characteristics of a class of NSW's cultural or natural places; or cultural or natural environments (or a class of the local area's cultural places; or cultural or natural environments).

Guidelines for INCLUSION	Guidelines for EXCLUSION

<p>Is a fine example of its type</p> <p>No – it is a well intact and unusual example, but not necessarily a fine example of its type</p> <p>Has the principal characteristics of an important class or group of items</p> <p>Yes – demonstrates the principal characteristics of a nineteenth century main thoroughfare.</p> <p>Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity</p> <p>Yes – has attributes which are able to demonstrate how necessary transport was undertaken in the Winery region of the Hunter Valley</p> <p>Is a significant variation to a class of items</p> <p>No</p> <p>Is part of a group which collectively illustrates a representative type</p> <p>No</p> <p>Is outstanding because of its setting, condition or size</p> <p>Yes – it is outstanding for its condition and intactness due to the minimal application of upgrade works over the last 80 years.</p> <p>Is outstanding because of its integrity or the esteem in which it is held</p> <p>No</p>	<p>Is a poor example of its type</p> <p>No</p> <p>Does not include or has lost the range of characteristics of a type</p> <p>No</p> <p>Does not represent well the characteristics that make up a significant variation of a type</p> <p>Yes – Wills Hill Road is not an example of a significant variation of a type.</p>
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Wills Hill Road might be considered to be a representative example of a nineteenth century maintho in the Hunter Valley Region of NSW due to its intactness and the curiosity of its historic route. It n the threshold for significance for its representative values.

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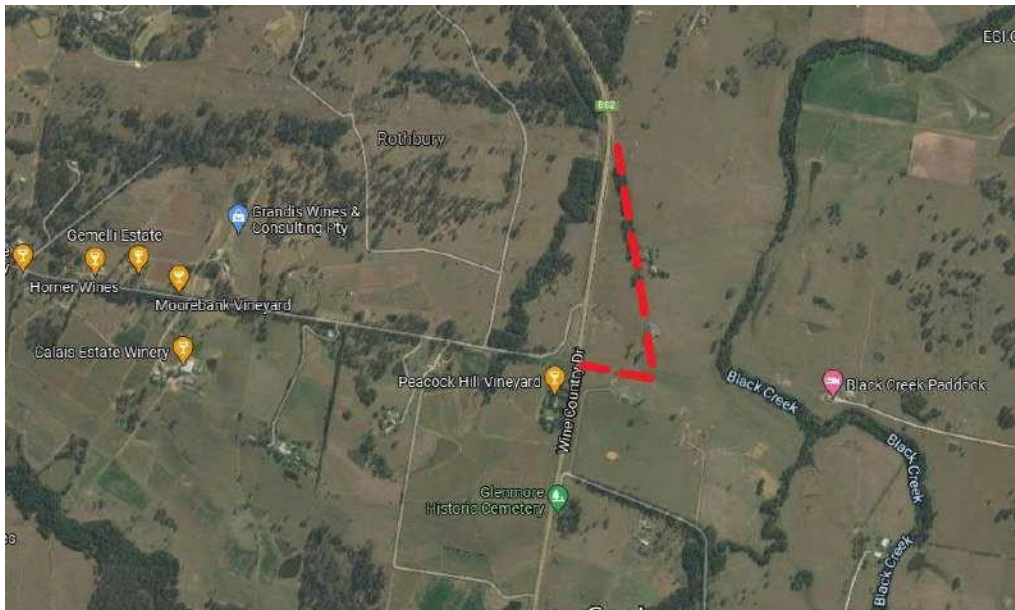
## 5. COMPARATIVE ANALYSIS

Assessment of the relative heritage significance of Wills Hill Road in a local context is arrived at through its comparison with similar items within the City of Cessnock Local Government Area and

/ or of similar age in similar regions.

### Isolated Section of Wills Hill Road

This short section of road which lies to the north of the road that is the subject of this Heritage Assessment. This section of road is actually included in the description of the “Weronga” heritagelisting which due to a strange turn of events is not included in the gazetted curtilage of the item.



**Figure 38: The former route of Wills Hill Road (shown dashed) can still be recognised in the avenue of trees crossing the property. Source Google Maps**



**Figure 39: Looking northeast from Wine Country Drive. The tree corridor which previously lined Wills Hill Road is clear as it converges on the new main road. Source Google Streetview**



**Figure 40: Looking southeast at the same corridor of trees as it makes its way down from the hill.  
Source Google Streetview**

The Isolated section of Wills Hill Road is the most similar to the section of road that is the subject of this Heritage Assessment sharing much of the same reasons for significance. There are some substantial points of difference however which mean that the isolated section of Wills Hill Road is of lesser significance over the subject section of road:

It does not lie on the McDonald's historic Glenmore allotment so has lesser historic association with the McDonalds.

It does not so well demonstrate the circuitous route of the subject section of road which is a point of potential research

It is not so readily interpretable as being associated with the Glenmore Cemetery. The alignment of the isolated section of road appears to avoid the cemetery, whereas the subject road clearly encounters the cemetery.

While the isolated section of road has also gone without upgrades, it has gone without regular traffic also and is likely to be overgrown to some extent which increases the difficulty of interpretation.

The isolated section of road is not publicly accessible for the opportunity of interpretation. It lies wholly within private property and must be viewed either at a distance or with permissions from the landowner. These factors increase the difficulty of interpretation.

If the obscure situation regarding the curtilage of the "Weronga" item can be rectified, it will be a good outcome to have this section of road protected under a local heritage listing. The factors listed above however explain that this isolated section of Wills Hill Road is of lesser significance and greater difficulty for interpretation. To rely on the corrected listing for this section of road is to say that this section of road *"is only retained in preference to a proposed alternative"*.

The Great North Road, known in some parts as the Old Northern Road already exists on the National Heritage List and as an Australian Convict Site is actually nominated for a World Heritage Listing. It is likely to represent the pinnacle of significance for a nineteenth century main thoroughfare and in many ways is more significant than the road that is subject of this Heritage Assessment. For example:

It was constructed to link Sydney with the Hunter Valley

It was constructed using convict labour

It has strong associations with Governor Darling and was one of his three “Great Roads”

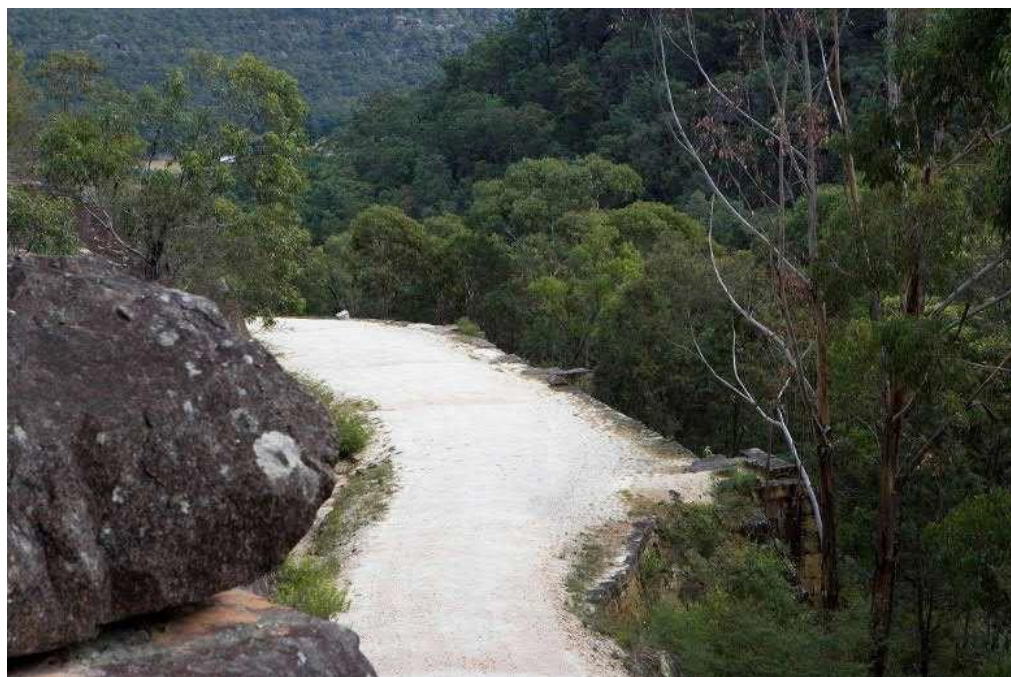
It was necessary to construct it using massive engineering features



There are many examples of constructed works or elements such as convict graffiti which give clear evidence interpreting the construction processes of the road.



**Figure 41: Great North Road walking track provides a 9km loop utilising an original route and a section which was created later. Source National Parks and Wildlife**  
**Figure 42: Great North Road bike ride provides 43 km (one way) of track graded as hard. Source National Parks and Wildlife**



**Figure 43: An image of the protected section of the Great North Road. It is very different in character, topography and location to Wills Hill Road. Source: Sydney Living Museums**





**Figure 44: Some of the convict built stone infrastructure that was necessary to construct the road. This is very different to Wills Hill Road due mainly to the topography and the workforce applied to it. Source: Sydney Living Museums**

There are factors which are directly comparable with Wills Hill Road also

The majority of the road still in use has been the subject of multiple and major upgrades and has lost the range of characteristics which demonstrates its type

There is only a small portion of the original which remains intact and interpretable and can be considered for active conservation

The community has been behind the active conservation of the road

There are three factors which are demonstrated by the subject section of Wills Hill Road that make the interpretation of significance easier than that of the Greta North Road.

The Great North Road fell out of operation very quickly. It was completed in 1836, but by 1844 the road from Peats Ferry was viewed to be far superior. Part of The Great North Road was closed off by 1884 and the Pacific Highway opened in 1930 making the majority of the Great North Road redundant. Wills Hill Road by comparison remained in full use until the 1940s and is still in use today

The protected portion of the Great North Road was closed to motorised traffic in 1978 meaning that all travel on the protected portion of the road needs to be on foot or bicycle which while it increases the ability to experience the aesthetic character of the place reduces the interpretation that this was built to be a major thoroughfare.

The protected area of the Great North Road is remote from most population centres and locations of other attraction. It is accessible from Wiseman's Ferry which is a popular day trip location whereas Wills Hill Road is in close proximity to the current Main Road and numerous tourist attractions where it can become an easily accessible detour. Wills Hill Road is able to provide a substantially easier opportunity for heritage interpretation than the Great North Road.

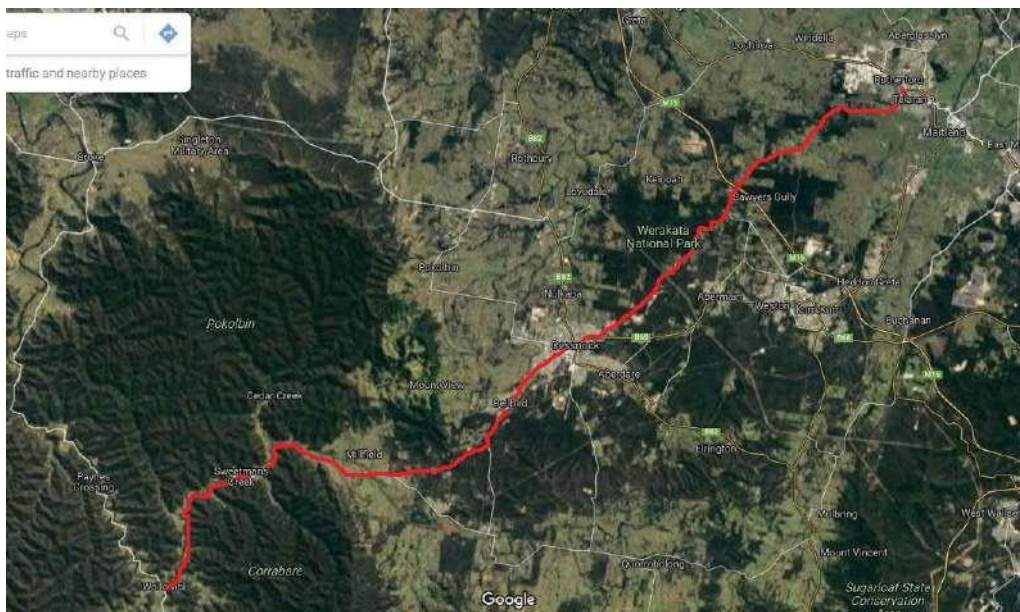
The protected section of the Great North Road is located just north of Wiseman's Ferry in the Hawkesbury LGA. The northernmost section of the former Great North Road is the Mitchell Line of Road located in the Singleton LGA. In the Cessnock LGA the Great North Road remains in place from Bucketty to Wollombi from which point it becomes Paynes Crossing Road and continues north toward Broke. The road is typically dual land and sealed. It travels mostly through bushland though does encounter agricultural settings near the Wollombi Brook / Stockyard Creek while still in the Cessnock LGA.

To conclude, the section of Wills Hill Road which is the subject of this Heritage Assessment Report is of lesser overall significance than the Great North Road, and does not attempt to match its listing within the National Heritage List. This portion of Wills Hill Road however, does

demonstrate significance for similar reasons to the Great North Road most particularly in regard to its route and intactness. It also is able to provide a much more accessible and available opportunity to interpret that significance for tourists who can happen upon it.

### Old Maitland Road / Wollombi Road

The road between Wollombi and Cessnock and then from Cessnock to Maitland known as Old Maitland Road / Wollombi Road is indicated on the 1828 Dangar Map. It is one of a number of roads that were extended from the Great North Road to get to desired locations such as Maitland and Newcastle more conveniently by staying on the Great North Road. The road has predominantly been widened and tar sealed and has relatively recent signage. Like the Great North Road, it travels predominantly through bushland though does encounter agricultural properties at various locations.



**Figure 45: Aerial View of Old Maitland Road / Wollombi Road which still follows the course indicated on the 1828 Dangar Map. It has been upgraded for its entire length. Source Google Maps**

For some lengths it has tree canopies like Wills Hill Road, and at other times it has views of paddocks to either side. The road travels through the South Greta Coalfield areas such as Millfield and Bellbird which were influential in the local economy and have some social significance also. These areas are not as influential on the global stage as the winery regions and are not as likely to attract tourists. This road does not display the same character and outlook at the same time as does Wills Hill Road and is not nearly so intact.

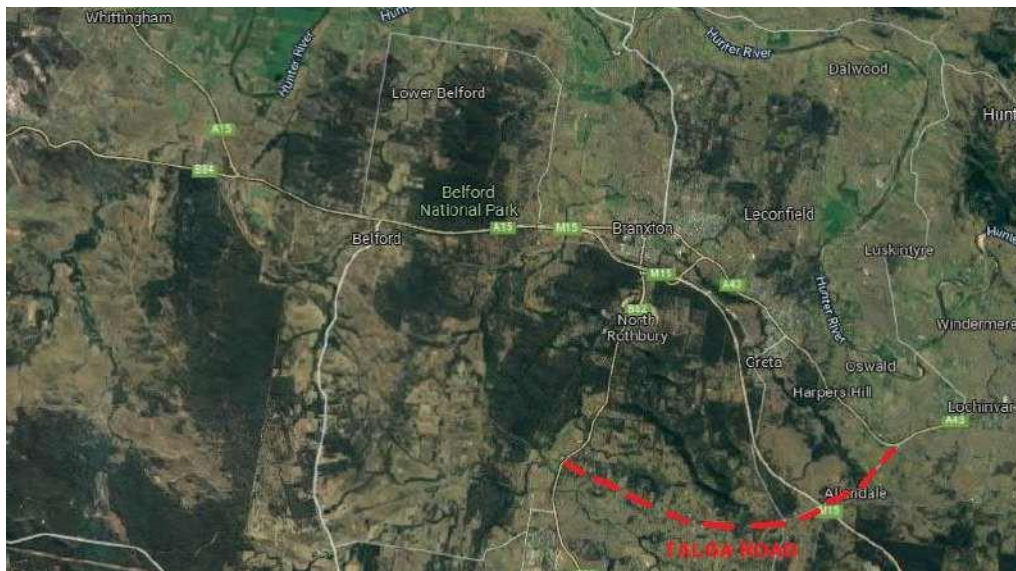
There are no obvious portions of the road that have been bypassed like Wills Hill Road. There are some sections east of Cessnock which have parallel tracks alongside the road corridor but these appear to be more recently made perhaps by Four-Wheel-Drivers and Trail Bike riders.

Old Maitland Road / Wollombi Road is therefore able to demonstrate similar historic significance to Wills Hill Road being slightly older but not as influential to the region. It does not share the same significance under other criteria, and does not share the same intactness.



## Talga Road

Revealed by the County of Northumberland Map from 1872, Talga Road forms the eastern part of similar age to Wills Hill Road which skirted south of Maitland Road from west of Lochinvar, through across Wills Hill Road and on to Castle Forbes.



**Figure 46: Aerial photo of Talga Road (shown dashed) which is shown to have existed on the early County Maps. Source Google Maps**

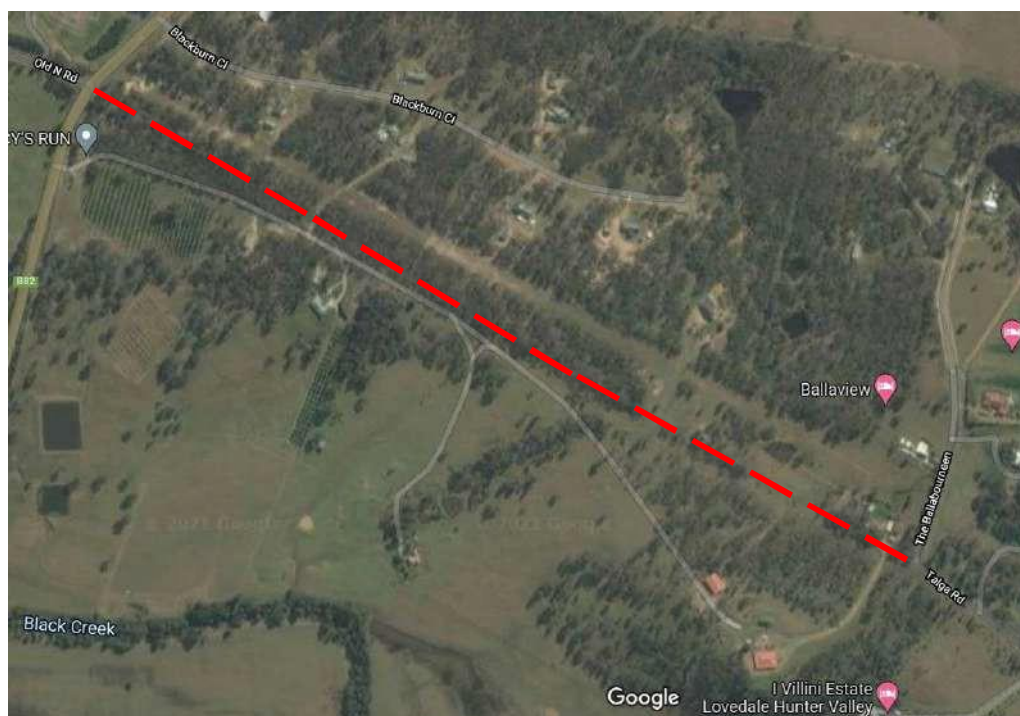


**Figure 47: A typical view of Talga Road looking west. While it is undoubtedly attractive, the road corridor is noticeably different in character to Wills Hill Road and does not so easily reflect the 19th century origin of the road. Source Google Streetview**

The eastern end of Talga road is now part of Allandale and Lovedale Roads and is of course widened and tar-sealed with many safety upgrades. A long portion of Talga Road is dirt and gravel surfaced however it is obvious that the road has been regraded and widened to two lanes. The verges of the road do not have the

constant avenues of trees and the road is not covered and enclosed to the same extent. The western portion of Talga Road has been isolated onto a private property commencing at a driveway entrance and concluding at the intersection between Old North Road and Wine Country Drive. This last section of road may be somewhat intact in terms of tree coverage and width but is overgrown and inaccessible somewhat like the isolated section of Wills Hill Road.





**Figure 48: Isolated section of the former Talga Road (shown dashed) now lies within private property. A cleared corridor for the Power Lines is visible just to the north, but the earlier road corridor is still recognisable in the pattern of the trees. Source Google Maps**



**Figure 49: The current situation is that Talga Road terminates at this driveway entrance and traffic turns north onto the Ballabourneen. Source Google Streetview**

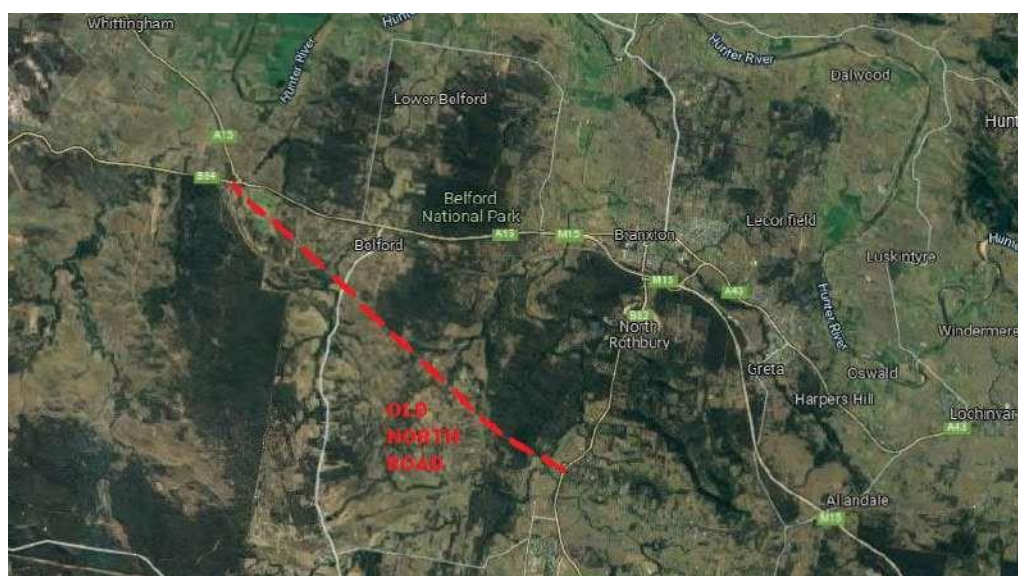


**Figure 50: Glimpses of the former road corridor may be visible from the western end of the former Talga Road. They are easily confused with newer graded tracks on the subject properties or the cleared Power Line easement to the north. Source Google Streetview**

Talga Road is therefore able to demonstrate similar historic significance to Wills Hill Road but does not share the same significance under other criteria, and does not share the same intactness.

## Old North Road

Revealed by the County of Northumberland Map from 1872, Old North Road forms the western part of a road of similar age to Wills Hill Road which skirted south of Maitland Road from west of Lochinvar, through Allandale, across Wills Hill Road and on to Castle Forbes.



**Figure 51: The former corridor of Old North Road (shown dashed) is still recognisable in aerial imagery. Source Google Maps**

The eastern end of Old North Road is widened and tar-sealed. A long portion of Old North Road is dirt and gravel surfaced however it is obvious that the road has been regraded and widened to two lanes. One small portion shows the tree coverage coming in close to the road somewhat like Wills Hill Road but not as thick and for not nearly such a distance. The rest of the verges of the road do not have the constant avenues of trees and the road is not covered and enclosed to the



same extent. Beyond the gravel section and approaching Hermitage Road the road is sealed again.

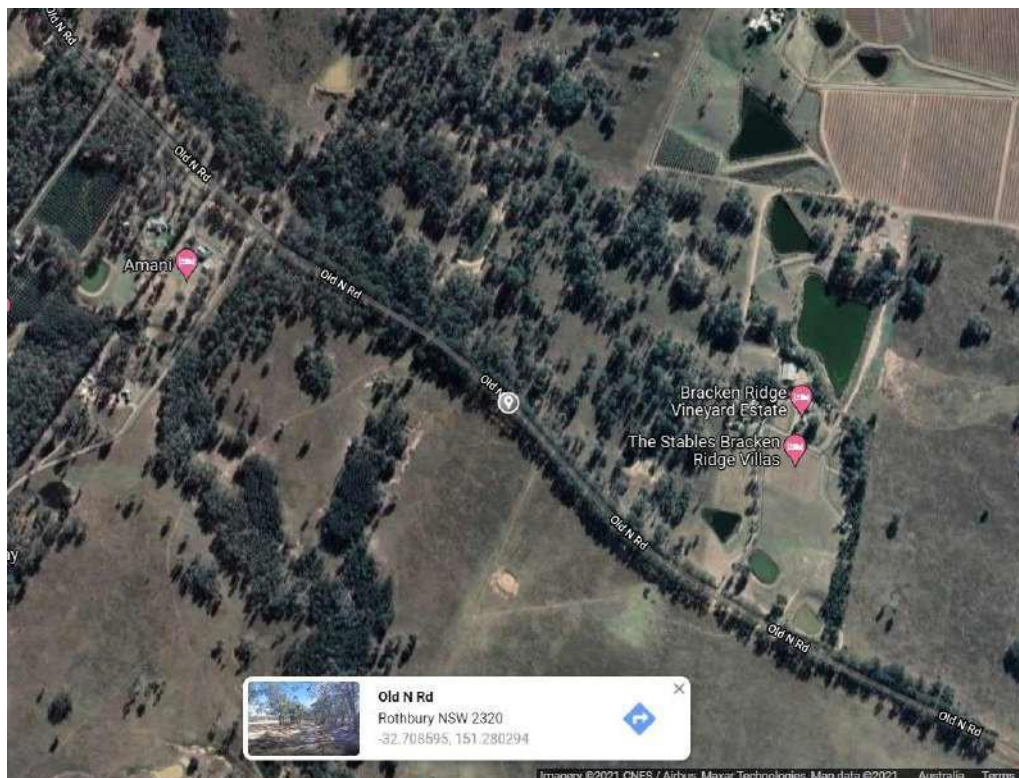


**Figure 52: The eastern end of Old North Road at the intersection of Wine Country Drive looking west.**  
Source Google Streetview



**Figure 53: A typical view of the unsealed section of Old North Road. The tree coverage is not nearly so close or pronounced as Wills Hill Road. The road has been graded and cambered and the shoulders have been clearly reworked at times. There is evidence in places where the road has become impassable and vehicles have created alternative tracks beside the road to skirt around holes and puddles.** Source Google Streetview





**Figure 54:** This particular section indicated by the pin on the map and latitude / longitude reference is the most like Wills Hill Road in character. It does not extend for much distance – approximately 400 metres. Source Google Maps



**Figure 55:** The view of Old North Road where it is as similar to Wills Hill Road as possible. Source Google Streetview

West of Hermitage Road is truncated and is terminated completely at the railway corridor. At Castle Forbes, near the intersection of the New England Highway and Golden Highway, some of the former road corridor is used to access the premises of E.C. Throsby, a beef processing company.



Old North Road is therefore able to demonstrate similar historic significance to Wills Hill Road but does not share the same significance under other criteria, and does not share the same intactness.

## 6. GRADING OF FABRIC

This Heritage Assessment Report analyses the individual elements of the fabric which make up Wills Hill Road, how and to what extent does each contribute to the significance of the whole under the various criteria, and how easily that significance may be interpreted.

The system establishes a grading of various elements of fabric associated with the building and its significance. Grading of significance assists greatly in the development of approaches to the treatment of the building.

The process of grading relative significance examines a number of factors including:

Relative age

Original quality

Degree of intactness

Extent of subsequent change

Association with important people or events

Ability to demonstrate a rare quality, craft or construction process

The gradings of significance include 'exceptional', 'high', 'moderate', 'little', and 'intrusive'.

### Exceptional Significance

Elements which make a direct and irreplaceable contribution to the overall heritage significance of the item being graded. These elements will exhibit a high degree of integrity with any alterations of a minor nature and generally reversible.

Demolition / removal or inappropriate alteration of elements graded as being of Exceptional Significance would substantially diminish the heritage significance of the item.

### High Significance

heritage



Elements which make a substantial contribution to the overall heritage significance of the item being graded. These elements may have alterations that do not detract from their significance.

Demolition / removal or inappropriate alteration of elements graded as being of High Significance would diminish the heritage significance of the item.

#### Moderate Significance

Elements which make a moderate contribution to the overall heritage significance of the item being graded. These elements have undergone alterations which detract from the item's heritage significance but they still contribute to the overall significance of the place.

Demolition / removal or inappropriate alteration of elements graded as being of Moderate Significance may diminish the heritage significance of the item.

#### Little Significance

Elements which make only a minor contribution to the overall heritage significance of the item being graded. These elements have undergone substantial and irreversible alteration and caused difficulty in interpreting the significance of the item.

Demolition / removal of elements graded as being of Little Significance would not diminish the heritage significance of the item.

#### Intrusive

Elements (or a component of an element) that adversely impacts on the overall heritage significance of the item being graded.

Demolition / removal of elements (or components of elements) graded as being Intrusive would not diminish the heritage significance of the item.

#### Grading of the Fabric of Wills Hill Road

Grading of significance is typically documented in words and in diagrams. Compilation of diagrams has been considered to be too difficult to show the intent of the grading so the written descriptions will be relied upon.

#### Elements of Exceptional Significance

The road alignment of Wills Hill Road connects directly to the Glenmore property and to the cemetery and follows the historic circuitous route.

The road width of Wills Hill Road, being a single carriage width demonstrates the requirements which were current at the time this main thoroughfare was created which is in contrast to the current main road of Wine Country Drive that visitors to the site have just left.

The tree corridor which has arisen due to the road alignment and width places a collection of tall trees very close to the road and their canopies cover the roadway. The tree corridor is one of the primary factors which defines the scale and character of the road.

#### Elements of High Significance

The road surface of dirt and gravel is what Wills Hill Road would have been formed with though the existing surface is not original. It has been repaired and upgraded at a few points in its history. The road surface assists with the interpretation of the conditions through which travellers had to traverse the road.

The verges and undergrowth contribute to the aesthetics and character of the road. They support wildlife which provides opportunities to interpret historic local species. They are close to the road, are devoid of crash barriers



and predominantly free of signage and lane reflectors. They demonstrate an historic era when travel was at a much lower speed.

#### Elements of Moderate Significance

The rural fences to the sides of the road are typically low key and disappear into the background of the setting. They assist the interpretation of the pioneering families and farms from which this region grew.

The water crossing at which vehicles ford First Creek is obviously non-original fabric however still contributes to the interpretation of the conditions which faced the early travellers on this road in the nineteenth century. The river crossing allows safe passage

Open rural property beyond the road allows the interpretation of the historic use of the properties of the region before the vineyards came to predominate. The paddocks to the side of the road contribute to the setting of Wills Hill Road

### Elements of Little Significance

There is no substantial fabric which is considered to be of little significance

### Intrusive Elements

Due to the intactness of the road and its constituent elements thanks to minimal interaction over the last 80 years, there are no elements which are considered to be intrusive in the northern 1.6km of Wills Hill Road.

In the southernmost 600m opposite the DeBortoli Winery and leading up to the beginning of the central section of the road, there is a large group of shipping containers stored in the paddock on the east side of the road. These are too concentrated and too numerous to be reflective of agricultural land use and may be considered intrusive to the character and setting of Wills Hill Road.

## 7. STATEMENT OF SIGNIFICANCE

Wills Hill Road is historically significant for being the first north / south road in the winery region which connected Cessnock with the settlements on the Hunter River and Maitland Road to the north. Other earlier roads connected the region east to west, though these typically linked similar centres. The Great North Road which connected to Sydney was located far to the west and the numerous other roads, including Wills Hill Road would be more convenient than the Great North Road. Wills Hill Road became the major north / south thoroughfare carrying the mail, goods and passengers and the majority of it, now called Wine Country Drive, remains an important thoroughfare to this day. The section of Wills Hill Road which is the subject of this Assessment Report was bypassed in approximately 1942 and is still able to demonstrate accurate historic connections.



Wills Hill Road has strong associations with John McDonald who was one of the earliest grantees in the parish of Allandale (and the first in Rothbury) and one of the early vigneron in the region. Wills Hill Road made direct connection with his property of Glenmore before turning to travel past the Glenmore / Peacock Hill Burial ground where many of the McDonald family are buried. The McDonald family owned the Glenmore property for 177 years spanning many generations.

Because Wills Hill Road was bypassed in 1942 and received very few upgrades in the last 80 years, it is able to demonstrate the aesthetic character as well as the historic expectations and conditions which travellers would encounter during the early period of settlement in the winery region. All of the comparative roads in the region have been widened, tar sealed and lined with modern signage, shoulders and barriers to cater for the expected levels of tourists in the vicinity. The aesthetic character of Wills Hill Road is defined most accurately by the tree corridor which constricts the width and height (proportion and scale) of the roadway. The verges, rural fencing and glimpses of paddocks to either side of the roadway also contribute to the character and setting.

Wills Hill Road is both rare for its intactness and representative as a benchmark site for the study of 19<sup>th</sup> century thoroughfares in the Hunter Valley winery region of NSW. It is able to provide information which is unlikely to be found, particularly with such accuracy elsewhere. The curiosity of its circuitous route across the McDonald property is a point for further research and is the fortuitous reason that the subject section of road was bypassed. Other points of research may include remnants of vehicles which travelled upon this road being discoverable in the remnant loose surface or perhaps items which can be traced to the McDonald family from their long occupation of the site.

Wills Hill Road is held in high esteem in the community who have combined to seek protection for this stretch of road commensurate with its significance. The road itself was previously recommended for listing within the Cessnock LEP by the 1992-93 City of Cessnock Heritage Study.

## 8. POTENTIAL THREATS TO SIGNIFICANCE

Altering the fabric which makes up the road is likely to have detrimental impacts upon the significance of the road. The elements of the road graded as being of significance are listed below and the alterations which could cause impact are described beside them.

Road Alignment – alterations to the alignment of the road by straightening or softening turns. To realign the road has the potential to cause the disassociation of the road with the McDonald's property and building. Realignment of the road would increase the difficulty of researching and interpreting the reasons for the original route this main thoroughfare underwent.

Road width – The road which served as a mail road and main thoroughfare was constructed as a single carriage width and has remained this way. To widen the road has the potential to disassociate the road with its historic origins and will increase the difficulty of interpreting the nineteenth century expectations, traffic flows and conditions under which it was used. Widening the road would also impact the following element.

Tree corridor – the tree corridor is critical in the interpretation of the scale and especially the width of the road. The loss of the tree corridor has the potential to severely impact the character, setting and aesthetic significance of Wills Hill Road. Even losing the tree corridor on one side to facilitate widening would be highly impactful to the significance of the road but will be seen as necessary if widening the road is proposed. Reinstating a new corridor of tree planting following road works will significantly alter the scale and proportions of Wills Hill Road and increase the difficulty of interpreting the original road thereby impacting significance.

Road surface – adding to the road surface using compatible materials will be acceptable. It may be necessary to consider sealing the road surface to prevent erosion and potholes from occurring. If this were to be proposed it would need to be carefully assessed for impact. Given that travellers will be in modern vehicles and are unlikely to leave the vehicle while on the road, there is little opportunity to fully interpret the conditions of travelling on this road in the 19<sup>th</sup> century in carts drawn by horses or bullocks. If sealing were to be considered however, it is necessary to maintain the single lane width of the road so as to retain the significance of the elements noted above and below.

Verges and undergrowth – The space and the planting within the verge are not necessarily long-lived plants, however they support native wildlife. Removing the verges and undergrowth to introduce modern signage, shoulders and barriers to permit increased traffic numbers would have a severe impact upon the wildlife habitat and this would flow on to a small impact upon the significance of the road as the native creatures which inhabited the region historically would not be able to be viewed. The introduction of modern signage and barriers would make it difficult to interpret the historic period this road was created.

Fences – It is acknowledged that fences regularly need maintenance. Ad hoc and repaired rural fencing along the edges of Wills Hill road give an impression of the development and use of the site over many years. Wholesale replacement of the fences along a property boundary with modern fencing will increase the difficulty of that interpretation and potentially impact the setting of Wills Hill Road. The introduction of security fencing (such as cyclone wire of 2 metres and higher with or without barbed strands atop, or tall palisade fences) if it is deemed necessary at some point has the potential for a severe impact upon the setting of the road. Development of the properties to the side of the road with uses that require robust security fencing are highly likely to cause such an impact.

Water crossing – the current crossing fords the river. It has been upgraded in the past (one of the few that have occurred) due to washouts or flooding but remains low key and close to the original crossing method at least in elevation. Replacement of the crossing with a new concrete or steel bridge would increase the difficulty of interpretation of this as the original historic main thoroughfare and the conditions which would be encountered





while using it and that will impact upon significance. Despite the obvious modernity of the river crossing it is still preferable over a bridge structure.

Open rural property beyond the road – creation of new, modern, large buildings of non- agricultural use have the potential to impact the setting of Wills Hill Road and may impact upon significance.

At this point in time in September 2021, there are three development proposals seeking consent from the City of Cessnock Council. Two of the development applications pertain to tourist facilities: DA8/2021/21333/1 is a proposed museum of 536m<sup>2</sup> and DA8/2021/21333/1 is a proposed Art Gallery of 1038m<sup>2</sup>. The third development application (DA8/2020/20875/1) is for a Solar Farm of 4.95MW capacity.

Two new Commercial Tourist buildings would be suitable if they were positioned along the main roads of the Hunter Valley, however we have concerns as to the compatibility of a substantial solar farm and two Commercial buildings of 4.5 metres and 9 metres in height with the character of the area accessed by Wills Hill Road. These have a potential impact upon the setting of Wills Hill Road increasing the difficulty of interpreting its nineteenth century origin. We have further heritage concerns pertaining to the access to these sites along Wills Hill Road and the potential additional demand that will be placed on this road. If the population of these site reaches a certain level, road upgrades consisting of loss of tree corridor, loss of verges and undergrowth, widening and sealing would need to occur and the road would cease to demonstrate the range of characteristics of the nineteenth century thoroughfare that it currently exhibits.

The Museum and Art Gallery applications together with their submitted traffic reports have both been reviewed by an independent Traffic Consultant who believes that The City of Cessnock will require a road upgrade to an 8 metre pavement and 7 metre sealed surface if approval is granted to cater for demand. Both the Museum and the Art Gallery applications have provided more than the required car parking spaces under the Cessnock Development Control Plan.



## 9. CONCLUSION

We recommend the inclusion of Wills Hill Road within the Cessnock LEP Heritage Schedule

The Glenmore property may be of similar significance however, further investigations in full agreement with the current owner would need to be undertaken to determine the integrity and intactness of the property compared to its original construction in 1836.

heritage



## 10. BIBLIOGRAPHY

Australia ICOMOS. (2013). *TheBurra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*. Burwood: Australia ICOMOS Incorporated.

Kerr, J.S. (2013). *The Conservation Plan: A Guide to the Preparation of Conservation Plans for European Cultural Significance*. Australia ICOMOS Incorporated.

NSW Heritage Office. (2001). *Assessing Heritage Significance - A NSW Heritage Manual Update*. NSW Heritage Office.

NSW Heritage Office.(N.D). *Statements of Heritage Impact*. NSW Heritage Office.

Walker, M and Pike, P. *City of Cessnock Heritage Study 1992-93*, City of Cessnock 1993  
Yencken, D. (2019) *Valuing Australia's National Heritage*. Future Leaders, Sydney

### Newspapers

*Australian Town and Country Journal Cessnock Eagle and South Maitland Recorder Dungog Chronicle*

*Government Gazette of NSW The Maitland Daily Mercury*

*The Maitland Mercury and Hunter River General Advertiser The Maitland Weekly Mercury*

*The Newcastle Morning Herald and Miner's Advocate*

### Online Resources

Australian National Heritage List: <https://www.environment.gov.au/heritage/places/national-heritage-list>  
Google Maps and Streetview: <https://www.google.com.au/maps>

Nearmap (by license) - <http://au.nearmap.com/>

University of Newcastle: *Cultural Collections* - <https://www.flickr.com/photos/uon/>

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NSW Land & Property Information: *Historical Lands Records Viewer* - <http://images.maps.nsw.gov.au/> NSW  
LPI: *NSW Globe* - <http://globe.six.nsw.gov.au/>

NSW LPI: *Spatial Information Exchange* - <http://maps.six.nsw.gov.au/>

## 11. APPENDIX

Heritage Listing Datasheets



Item Details

---

Name

Peacock Hill / Glenmore Burial Ground

Other/Formal Names

Address

189 Wills Hill Road LOVEDALE NSW 2325



Local Govt AreaGroup Name

Cessnock      Wills Hill Early Agricultural Landscape

Item Classification

Item Type	Item Group	Item Category
Landscape	Cemeteries and Burial Sites	Cemetery/Graveyard/Burial Ground

Statement Of Significance

The cemetery contains the graves of the very early pioneer families and vigneron of the Pokolbin area. It is the sole remnant of the once active Presbyterian and Methodist congregations who held regular services here.

Assessed Significance Type      Endorsed Significance      Date Significance Updated

Unknown      08/19/2002

## Listings

Listing Name	Listing Date	Instrument Name	Instrument No.	Plan No.	Gazette No.	Gazette Number
Local Environmental Plan	11/3/1989 12:00:00 AM	Cessnock Local Environmental Plan 1989				
Heritage study						
State Environmental Planning Policy	9/25/1989 12:00:00 AM	Hunter Heritage REP, 1989	Sched 2 - Items of Regional Environmental Heritage			
State Environmental Planning Policy	9/25/1989 12:00:00 AM	Hunter Heritage REP, 1989	Sched 2 - Items of Regional Environmental Heritage			
Local Environmental Plan	12/23/2011 12:00:00 AM	Cessnock Local Environmental Plan 2011	1222			
Heritage study						

## Heritage Item ID      Source

1340020      Local Government

Listings  
Location

---

Addresses  
Records Retrieved: 5

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
	De Beyers Road	ROTHBURY/NSW/2320	Cessnock					Alternate Address
	Wine Country Drive	ROTHBURY/NSW/2320	Cessnock					Alternate Address
	Branxton Road	ROTHBURY/NSW/2320	Cessnock					Alternate Address
189	Wills Hill Road	LOVEDALE/NSW/2325	Cessnock					Primary Address
700	Wine Country Drive	LOVEDALE/NSW/2325	Cessnock	Unknown			Unknown	Primary Address

Description

---

Designer                      Builder/Maker

Construction Year Start & End      Circa                      Period

**Addresses**

NO

Unknown

**Updated****Physical Description**

Sited on eastern sloping hill east of Allandale Road. Site divided into two sections: one in the northeast corner, the other in the southwest corner. 21 burials in northeast section all except two (Irving (d1932) and Carroll (d1856) being from the Hall or McDonald families. Two sandstone, one marble and one sandstone and marble monuments in this section, the rest are granites. The southwest section abutts Allandale Road and has 15 monuments (1 badly smashed) of marble, sandstone and granite. Two wooden grave surrounds to burials which have no headstones remaining. Families include Hungerford, Drayton, Chick, Kohler, Joass, Elliot and Stuckey (1884). Vincia, agapantha, old and modern roses, iris may be found in this area. Site is pleasantly overgrown with native grasses and well timbered with mature eucalypts.

**Physical Condition****Updated****Modifications And Dates**



#### Further Comments

See also SHI 1340501 Glenmore homestead/property

#### History

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#### Historical Notes or Provenance Updated

The land for the cemetery was given by George McDonald of Glenmore (SHI record 1340501). It was originally associated with a small slab construction Presbyterian Church built by Joseph Drayton. A second church, built in 1908, was shared by the Methodists and Presbyterians for many years on an alternate week basis, since by this time members of the McDonald family had married into the Methodist religion. Monuments date from 1874 in the north east section and from 1884 in the south west section. Masons include Curran of Maitland 1878, Browne of Maitland 1939, E.B. Roberts 1932, W.J. Lane of Cessnock.

#### Historic Themes

Records Retrieved: 2

National Theme	State Theme	Local Theme
Marking the phases of life	Communication	The life cycle
Marking the phases of life	Communication	The life cycle

#### Assessment

---

## **Further Comments**

---

### **Criteria a)**

#### **Historical Significance**

**Include**

**Exclude**

### **Criteria b)**

#### **Historical Association Significance**

**Include**

**Exclude**

### **Criteria c)**

#### **Aesthetic/Technical Significance**

**Include**

**Exclude**

### **Criteria d)**

#### **Social/Cultural Significance**

**Include**

**Exclude**

Criteria e)

Research Potential      Include Exclude

Criteria f)

Rarity   Include Exclude

Criteria g)

Representative   Include Exclude

Integrity/Intactness      Updated

References

---

References

**Records Retrieved: 2**

<b>Title</b>	<b>Author</b>	<b>Year</b>	<b>Link</b>	<b>Type</b>
"Glenmore" CemeteryListing	Delaney, J.W.	1982		Written
"Glenmore" CemeteryListing	Delaney, J.W.	1982		Written

Heritage Studies

Records Retrieved: 2

Title	Year	Item Number	Author	Inspected By	Guidelines Used
City of Cessnock Heritage Study	1994	1340020	Pike, Penelope; Walker, Meredithand Associates		Yes
City of Cessnock Heritage Study	1994	1340020	Pike, Penelope; Walker, Meredithand Associates		Yes

Procedures / Workflows / Notes

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Records Retrieved: 0

Application ID / Procedure ID	Section of Act	Description	Title	Officer	Date Received	Status	Outcome
No Results Found							

Management

---

Management



Management Category	Management Name	Date Updated
No Results Found		

**Management Summary**

Comments - The entrance and landscape of the cemetery has been badly affected by recent (as at 1994) road works, and the setting and security of the graves in the south west section damaged by road widening; Conservation action - Engage National Trust to prepare restitution plan for cemetery following road works. Plan and works to be paid for by Roads and Traffic Authority.

## Item Details

---

**Name**

"Weronga"

**Other/Formal Names**

**Address**

790 Wine Country Drive ROTHBURY NSW 2320

**Local Govt AreaGroup Name**

Cessnock      Wills Hill Early Agricultural Landscape

**Item Classification**

Item Type	Item Group	Item Category
Built	Farming and Grazing	Homestead Complex

**Statement Of Significance**

Of historic significance as it demonstrates continuous occupation and use of land over a long period of time by the one family. Represents the way in which the land was opened up for European settlement, and the collection of farm buildings and structures demonstrate the way in which the land has been used.

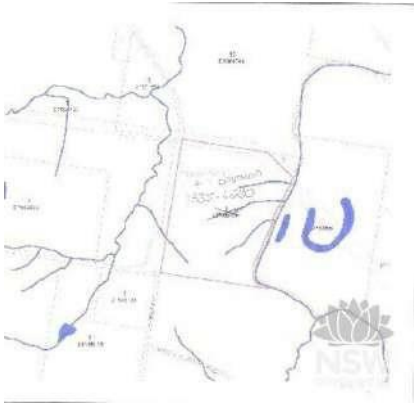
**Assessed Significance Type      Endorsed Significance      Date Significance Updated**

Local      Local      06/23/2002

**Listings**

This report was produced using the State Heritage Inventory managed by Heritage NSW. Check with your relevant local council or NSW government

03/08/2021 11:11 AM



## Item Details

Listing Name	Listing Date	Instrument Name	Instrument No.	Plan No.	Gazette No.	Gazette Number
Local Environmental Plan	12/23/2011 12:00:00  AM	Cessnock Local Environmental Plan 2011				1179
Heritage study						
Local Environmental Plan	12/23/2011 12:00:00  AM	Cessnock Local Environmental Plan 2011	1179			
Heritage study						

## Heritage Item ID      Source

1340617      Local Government

## Location

---

### Addresses

Records Retrieved: 4

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
	Allandale Road	ROTHBURY/NSW/2320	Cessnock					Alternate Address
	Nr McDonalds Road	ROTHBURY/NSW/2320	Cessnock					Alternate Address
790	Wine Country Drive	ROTHBURY/NSW/2320	Cessnock					Primary Address
66	Wills Hill Road	ROTHBURY/NSW/2320	Cessnock	Unknown			Unknown	Primary Address

## Description

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## Location

Designer	Builder/Maker
----------	---------------

Construction Year Start & End	Circa	Period
-------------------------------	-------	--------

- 1900	YES	Unknown
--------	-----	---------

Physical Description	Updated
----------------------	---------

This place includes a closed road from the Allandale Road across Wills Hill returning to the Allandale Road; the Weronga homestead, (c1900) of timber, with remains of timber gate posts and established garden; farm outbuidlings, cattle yards and fences, barn and a second house (c1940).

Victorian Italianate style.

Physical Condition	Updated
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## Modifications And Dates



## Further Comments

## History

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## Historical Notes or Provenance Updated

The land forms part of a 500 acre grant to John McDonald in 1825. He named the property Glenmore (SHI record 1340501). In 1833 he received title to a further 1000 acres in the Parish of Pokolbin. The properties were used for cattle grazing and wheat. His youngest son, George Frederick, was placed on Glenmore and descendants still live on Weronga. George donated the land for the nearby Glenmore cemetery (SHI record1340020 ) where he is buried along with many other pioneers.

## Historic Themes

Records Retrieved: 2

National Theme	State Theme	Local Theme
Developing local, regional and national economies	Commerce	Grazing
Developing local, regional and national economies	Commerce	Grazing

## Assessment

---

## Further Comments

---

### Criteria a)

#### Historical Significance

**Include**

**Exclude**

This item is assessed as having a representative value at a local level.

### Criteria b)

#### Historical Association Significance

**Include**

**Exclude**

### Criteria c)

#### Aesthetic/Technical Significance

**Include**

**Exclude**

### Criteria d)

Social/Cultural Significance

Include

Exclude

Criteria e)

Research Potential      Include Exclude

Criteria f)

Rarity   Include Exclude

Criteria g)

Representative   Include Exclude

Integrity/Intactness      Updated 09/03/2013

References

**Social/Cultural Significance  
References**

**Include**

**Exclude**

**Records Retrieved: 2**

Title	Author	Year	Link	Type
Unpublished Notes	Rees, Annette			Written
Unpublished Notes	Rees, Annette			Written

**Heritage Studies**

**Records Retrieved: 2**

Title	Year	Item Number	Author	Inspected By	Guidelines Used
City of Cessnock Heritage Study	1994	1340617	Pike, Penelope; Walker, Meredith and Associates		Yes
City of Cessnock Heritage Study	1994	1340617	Pike, Penelope; Walker, Meredith and Associates		Yes

Records Retrieved: 0

Application ID / Procedure ID	Section of Act	Description	Title	Officer	Date Received	Status	Outcome
No Results Found							

Management

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Management Summary



Other.....

☐ Pre 1788  
☐ Pre 1800  
☐ 1800-1825  
☐ 1826-1850  
☐ 1851-1875  
☐

1901-1925  
1926-1950  
1951-1975  
Post 1975

Ref number  
1876-1900  
Post code

Sources

Heritage listing

H.R.H.S.  
Category  
Building

1

forms

Visual survey 15ia heritage study survey D inspection of interiors

D site inspection

Written sources

Graphic sources

Oral sources

PENELOPE PIKE, MEREDITH WALKER AND ASSOCIATES 1992-93

CITY

## Physical characteristics

One house with Victorian additions to form a rear courtyard. Sited on top of a verandah.

Single pepper trees beside house. The sandstone walls have been painted in more recent years. and Matur angles *have been made to* the house. The original verandah had paired timber columns (now *man ate, uscan* columns) & timber shingled roof (now modern tiles). Stone flagged verandah and *con* and Much original cedar joinery survives but relocated due to internal rearrangement of some?

12 pane windows, margined trench windows. Fine front door case and lanlight.

architectural style Georgian

## History

The land forms part of a 500 acre grant to John McDonald in 1825. He named the property Glenmore. In

1833 he received title to a further 1000 acres in the Parish of Pokolbin. The properties were used for cattle grazing and wheat. His youngest son, George Frederick, was placed on Glenmore and descendants still live on the adjoining property. Weronga George donated the land for the nearby Glenmore cemetery (Item 028) where he is buried along with many other pioneers. John MacDonald built the first part of this

## Evaluation criteria

Historic

Rare

Aucclatlv

Representative

local

Aulhelle

Rare

Aucclallv

Representative

Date of construction 1636 and later

Social

Auccllllv1

Representative

Historical themes

Scientific

Rare

Auccllllv1

Representative

SHIP themes

Agricultural expansion

Local themes

Early settlement: Subdivision and settlement

*Brief statement of significance*

Substantia, remains of an early homestead [111] incorporated in additions and extensions) which illustrate the early and continuing occupation and farming of the lands the original grant.

Comments

No access was possible

Conservation action

*Ref* number ii 99

PENELOPE PIKE, MEREDITH WALKER

WALKER ASSOCIATES 1892-93

### rBI Post 1975

## Sources

Her/tao• lls11ng

forms

Visual •urvey l1iiD heritage study survey O inspection of Interiors

S site Inspection

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PENELOPE PIKE, MEREDITH WALKER ANO ASSOCIATES 1992-93





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[Arohllectura] •tyre NA

## Hrstory

Noe ,.SNI'Chod Probably bull! toaerve aarty farming proportlH In this area. most of which **were** owned by

Ille MillOdonajda,

**Date** of construction 1830s

*Historical* themes

SHIP **theme■**

*Transport:* Roads

**Local theme■**

*Working the land:* Agriculture and grazing

Evaluation criteria

Historic Rare \_\_\_ Associative ! local | Representative \ }

Aesthetic Rare \_\_\_ Associative | \_ Representative \ }

Social Rare == Associative ( \_ Representative \ }

Inventory Form  
number

Post code  
2321

RPD

od

Scientific

Rare 1

Associative 1

Representative 1

other Rare 1

Associative 1

Representative 1

### Brief statement of significance

Evidence of early and continuing agricultural and grazing use of land in this area from the 1830s. Illustrates the character

and components of a 19th rural landscape.

### Comments Conservation action

Ref number 277

PENELOPE PIKE, MEREDITH WALKER AND ASSOCIATES 1992-93

## Appendix 2: EJE Submission for State Heritage Listing.

Our ref: 13379-ltr-her-001.docx Date: 09<sup>th</sup> June 2021

Heritage Council of NSW Level 6,  
10 Valentine Ave  
PARRAMATTA, NSW 2150

**ATTENTION: Heritage Council of NSW**

Dear Heritage Council,



NEWCASTLE  
SYDNEY  
GOLD COAST

### CONTACT US

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Dominic Warland  
Natalie Hancock



**RE: Request for Interim Heritage Order for Wills Hill Road, Lovedale NSW**

We write in response to a series of development applications lodged with Cessnock City Council in the last few months, all of which are located on Wills Hill Road Lovedale, NSW.

Wills Hill Road is located in the Hunter Valley amongst the wineries and as such is a busy tourist vicinity. Two of the development applications pertain to tourist facilities: DA8/2021/21250/1 is a proposed museum of 536m<sup>2</sup> and DA8/2021/21333/1 is a proposed Art Gallery of 1038m<sup>2</sup>. The other development application (DA8/2020/20875/1) is for a Solar Farm of 4.95MW capacity.

Two new Commercial Tourist buildings would be suitable if they were positioned along the main roads of the Hunter Valley, however we have concerns as to the compatibility of a substantial solar farm and two Commercial buildings of 4.5 metres and 9 metres in height with the character of the area accessed by Wills Hill Road. We have further heritage concerns pertaining to the access to these sites along Wills Hill Road and the potential additional demand that will be placed on this road.

The Museum and Art Gallery applications together with their submitted traffic reports have both been reviewed by an independent Traffic Consultant who believes that The City of Cessnock will require a road upgrade to an 8 metre pavement and 7 metre sealed surface if approval is granted to cater for demand. Both the Museum and the Art Gallery applications have provided more than the required car parking spaces under the Cessnock Development Control Plan.

**Brief History of Wills Hill Road**

Wills Hill Road was formerly part of the road between Cessnock and Branxton and crossed the properties of Matthew Bryce (granted 1824), John McDonald (granted 1825) and Thomas Coulson (also granted 1825). The creation of the road between Cessnock and Branxton was pre-empted on Henry Dangar's 1828 survey of the Hunter Valley.

On John McDonald's property, known as "Glenmore", the line of the road travelled north through the middle of the property until it crossed First Creek whereby it turned to the west to the property boundary. The Peacock Hill/Glenmore Burial Ground (Cessnock LEP 2011 Local Item 1222) is located just south of the intersection of the original Wills Hill Road and the Boundary / line of the new 'Wine Country Drive'. The Burial Ground contains graves from the McDonald Family which date back to 1870. The name of Wills Hill Road appears to refer to

another former landowner Thomas Wills who owned properties to the west of John McDonald's

At the northwest corner of the site, the historic line of the road turned back again to the east along the boundary line before turning north across Thomas Coulson's property. This peculiar line of the road persisted until approximately the 1940s when the road on Bryce's property was realigned to intersect with the southwest corner of McDonald's Property and directed north along the property boundary. Wills Hill Road was made largely redundant at this point and only served to reach the historic Glenmore property.

As the road was in such minor use, it did not receive upgrade works until the DeBortoli Winery was established at the southern end of the road. The southernmost 600m was widened and upgraded to provide access into the rear of the DeBortoli site. The remaining 1.6 km of Wills Hill Road remains as single lane with a dirt surface and very close timber on either side of the corridor. This situation is similar for approximately 300m of the former corridor on Thomas Coulson's property however this corridor is no longer a road reserve and is landlocked within private property.

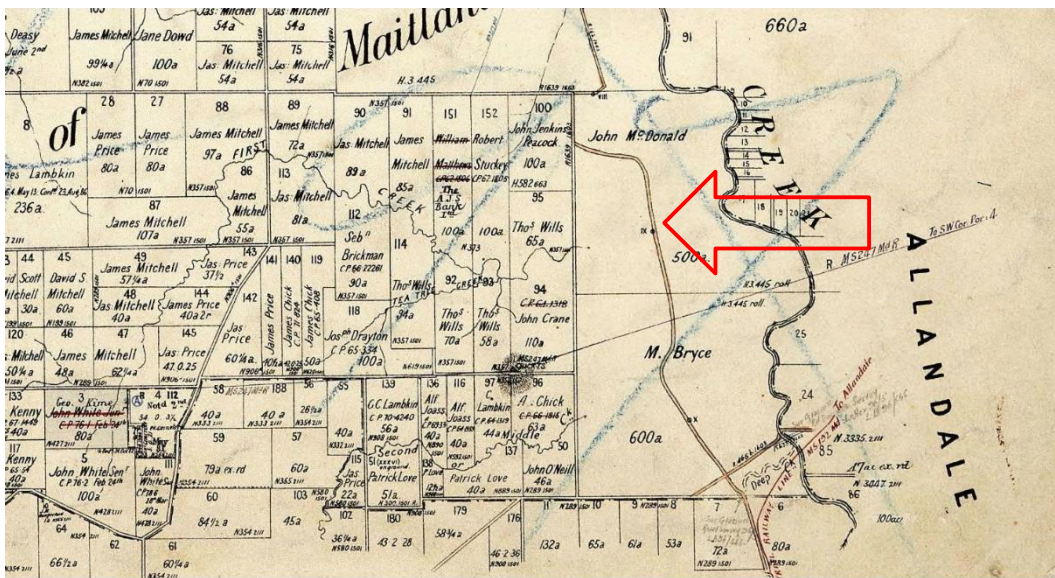


Figure 1: extract from 1888 Parish Map. Wills Hill Road is located at the red arrow.

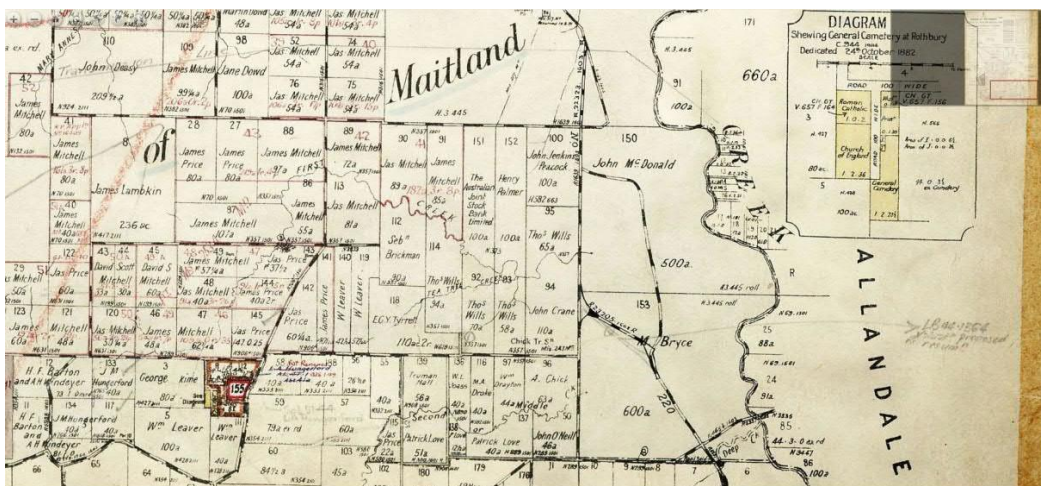


Figure 2: Extract from the 1942 Parish Map showing the new bypass works which avoid John McDonald's property.





**Figure 3: Near the southern end of Wills Hill Road looking north. Old growth trees line the singlelane corridor and provide glimpses of rural properties beyond. The potential road upgrade to 8 metre pavement and 7 metre seal will require the removal of the majority of trees in this avenue.**



**Figure 4: near the north end of Wills Hill Road looking northwest. What might be 'Wills Hill' but is within McDonald's property sits above the road level. The potential road upgrade to 8 metre pavement and 7 metre seal will require the removal of the majority of trees in this avenue.**

### **Current Heritage Listings**

The Peacock Hill / Glenmore Burial Ground at the north end of Wills Hill Road is currently listed as a local item under the Cessnock LEP 2011 (I222)

'Weronga' at the southern end of Wills Hill Road is currently listed as a local Landscape item under the Cessnock LEP 2011 (I179)

### **Former Heritage Listings**

The Peacock Hill Burial Ground was formerly listed as an item of regional environmental significance under the Hunter REP 1989 (Heritage) (repealed 4<sup>th</sup> August 2016). This listing is immediately adjacent to Wills Hill Road and within John McDonald's former property.

"Glenmore", John McDonald's property was identified as an item requiring further investigation under Schedule 4 Part A of the Hunter REP 1989 (Heritage) (repealed 4<sup>th</sup> August 2016). The curtilage of this item is not known however it would either have either bounded or included a portion of Wills Hill Road.

The Pokolbin Valley Landscape Conservation Area was listed as being of significance as an 'Indicative Place' in the Register of the National Estate (defunct as of the 19<sup>th</sup> of February 2007). The curtilage of this item had Black Creek as one of the eastern boundary markers i.e. the whole of Wills Hill Road would have been included in this listing.

## Heritage Studies

Both the property of Glenmore (Ref 199) and the corridor of Wills Hill Road (Ref 277) were identified in the City of Cessnock Heritage Study 1992-93 prepared by Penelope Pike & Meredith Walker and recommended for inclusion in the LEP schedule. The brief Statement of significance for Wills Hill Road in this study stated: *'Evidence of early and continuing agricultural and grazing use of land in this area from the 1830s. Illustrates the character and components of a 19<sup>th</sup> [century] rural landscape.'*

## Assessment of Significance

### Criterion a (historical values)

The alignment of Wills Hill Road was clearly defined on the 1880s Parish Map and may date back as far as the 1830s which is very close to the date of the earliest land grants in this vicinity. Wills Hill Road was not substantially upgraded during its common use and the majority has not been upgraded since the 1940s when it was bypassed by Wine Country Drive. It retains the alignment as well as a majority of the character of the early track through this important landscape. Wills Hill Road may demonstrate historic significance locally and most likely regionally.

### Criterion b (historic association values)

Wills Hill Road has associations with a number of the earliest settlers in this vicinity: particularly Thomas Wills after whom the road and presumably the hill is named; and John McDonald who was one of the first grantees in the county of Allandale (and the first grantee in the parish of Rothbury). The McDonald family lived on this property until the year 2002 when the property was subdivided into the current lots. Wills Hill Road is able to demonstrate local significance due to its historical associations. Its associations with the McDonald Family who were highly influential in the early stages of the wine industry of the Hunter Valley may meet the threshold for State significance.

### Criterion c (aesthetic values)

Wills Hill Road is able to demonstrate the aesthetic character of a 19<sup>th</sup> century road bounded by agricultural land which would have been common at that time but is now rare in the region of the Hunter Valley Wineries whose roads have largely been widened and sealed to cope with tourist traffic. Wills Hill Road may meet the threshold for significance locally and possibly regionally for its aesthetic representation of a nineteenth century roadway in this region.

#### **Criterion d (community esteem)**

Previous professional studies have identified the significance of Wills Hill Road and the genesis of this request for IHO has been generated by members of the local community who are concerned for the conservation of the historic road corridor. Wills Hill Road might demonstrate significance locally for the esteem by which it is held in the community.

#### **Criterion e (research potential)**

Wills Hill Road provides an opportunity to understand the makeup of a nineteenth century rural road within the Hunter Valley. The alignment of the road, which turns toward and away from the established property boundaries is an interesting point to research. Wills Hill Road has the potential to reveal information which may not be available elsewhere.

#### **Criterion f (rarity)**

Wills Hill Road is rare in this vicinity as a nineteenth century road connecting two substantial centres which remains largely intact. It is likely to meet the threshold for rarity significance locally and possibly regionally.

#### **Criterion g (representative values)**

Wills Hill Road might be considered to be an exceptional example of its type due to intactness and the curiosity of its historic route and might meet the threshold for significance for its representative values.

#### **Preliminary Statement of Significance**

Wills Hill Road is a rare and possibly representative example of a circa 1830s road linking substantial centres in the Hunter Valley. Its intactness has been conserved due to the corridor of the road being bypassed during the 1940s. Other roads in the vicinity have been widened and sealed to cope with the influx of tourist traffic. The road was named after an early settler in the area, Thomas Wills. The road crossed and provided access to 'Glenmore', the property of the McDonald family who lived within its boundaries between 1825 when John McDonald first received the grant, to early 2002 when the property was subdivided and sold. The McDonald Family were highly influential in the establishment of the Wine Industry of the Hunter Valley. The road ends at the Peacock Hill / Glenmore Burial Ground where a number of the McDonald family are buried. Wills Hill Road's associations with the McDonald family may be of State significance.

## **Conclusion**

EJE Heritage provide this correspondence to formally request an interim heritage order for Wills Hill Road, not so that the current development applications be halted, but that the road's significance be documented and conservation requirements be put in place to protect this rare road corridor from unsympathetic future upgrade works.

Yours faithfully

**EJE HERITAGE**

A handwritten signature in black ink, appearing to read 'Barney Collins', with a stylized flourish at the end.

Barney Collins

Director. B. Sc.(Arch), B. Arch.(Hons I), M.Sc.(Arch)(Cons), ARB Reg. No. 4438,

Member R. A. I. A.

