



Southwest Precinct 5 (Cobbitty), South Creek West

Historical Heritage Study

JJ Cobbitty Development Pty Ltd

Document Tracking

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Cover Page

Name of heritage item	Maryland Denbigh
SHR heritage schedule item number and name	Maryland - State Heritage Register (Listing no. 01690) Denbigh - State Heritage Register (Listing no. 01691)
Address and location	Southwest Precinct 5 (Cobbitty), South Creek West
SOHI for	Southwest Precinct 5 (Cobbitty), South Creek West Rezoning
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Prepared for	JJ Cobbitty Development Pty Ltd
Date	November 2025
Issue	2

Abbreviations

Abbreviation	Description
ELA	Eco Logical Australia
CMP	Conservation Management Plan
DCP	Development Control Plan
DP	Deposited Plan
LEP	Local Environmental Plan
SEPP	State Environmental Planning Policy
SHI	State Heritage Inventory
SHR	State Heritage Register
SOHI	Statement of Heritage Impact

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1. The Heritage Item

1.1. Site description

1.1.1. Project overview

Eco Logical Australia (ELA) were commissioned by JJ Cobbitty Development Pty Ltd to update the Historical Heritage Study and Statement of Heritage Impact (SoHI) to assist in the Precinct Planning processes for land located within the South West Growth Area (SWGA) which is being progressively rezoned to support residential growth.

It is noted that the findings/recommendations of this Historical Heritage Study were based on a previous ILP which considered the entirety of Sub-Precinct 5. The findings of this report remain relevant, providing a holistic assessment of the Precinct to inform future development on the subject site (Figure 1).

In 2018, ELA prepared a desktop Aboriginal and historical heritage constraints assessment, for the Southwest land package that makes up part of the South Creek West Precincts, Bringelly NSW. The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area, however field survey was recommended to assess the archaeological potential. In addition, preparation of a SOHI was recommended due to the close proximity of the State Heritage listed Maryland Estate (to the north) and State Heritage listed Denbigh Estate (to the south) to assess any impacts of the proposal on the significance of those items.

This report will identify and assess any potential impacts to any archaeological sites in the study area and assess any impacts to the significance of heritage items in the vicinity as a result of the proposal. Where necessary, mitigative measures and recommendations for the long-term conservation of heritage values will be provided.

1.1.2. Heritage listings

A search of all relevant statutory and non-statutory heritage registers identified no heritage items within the study area, and two within a 1km radius. The items identified are presented in Table 1.

Table 1: Listed heritage items within a 1km radius of the study area

Listing Type	Item name	Listing number	Location
Camden Local Environmental Plan (LEP) 2010 State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Denbigh Curtilage	N/A	<300m to the south-west of the study area
Camden Local Environmental Plan (LEP) 2010 State Environmental Planning Policy (Precincts – Western Parkland City) 2021	Maryland Homestead, including homestead, grounds, outbuildings, stone cottage, former winery, stone store and gatekeeper's cottage	LEP I1	500m to the north of the study area
State Heritage Register (SHR)	Denbigh	SHR 01691	<300m to the south-west of the study area
State Heritage Register (SHR)	Maryland	SHR 01690	500m to the north of the study area

Listing Type	Item name	Listing number	Location
Register of the National Estate (RNE) (non-statutory)	Maryland	3246	500m to the north of the study area
Register of the National Estate (RNE) (non-statutory)	Denbigh	3235	<300m to the south-west of the study area

1.1.3. Site and its context

The South Creek West Land Release Area forms part of the South West Growth Area (SWGA). The land to which this Planning Proposal relates to is referred to as Cobbitty South Creek West Sub-Precinct 5, also known as Precinct 5 (Figure 1). It has been characterised by rural residential and agricultural land uses and activities.

The Precinct was released by the Minister for Planning on 24 November 2017 for urban development. The release formally commenced the rezoning process for land within the Precinct, including the study area. Precinct 5 is located within the south-west portion of the South Creek West Land Release (SCWLA) area within the suburb of Cobbitty in the Camden Local Government Area (LGA). The Precinct adjoins the Lowes Creek Maryland Precinct, the Pondicherry Precinct to the east and the growing town centre and suburbs of Oran Park to the south.

1.1.4. The proposed work area

The proponent seeks to initiate the preparation of a Planning Proposal for the rezoning of Precinct 5, consistent with the Draft Indicative Layout Plan (ILP) (Figure 2). This is to facilitate the redevelopment of Precinct 5 into a residential community.

The intended outcome of this Planning Proposal is to amend the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* to facilitate the urban development of the Precinct 5 as part of the South West Growth Centre and envisaged in the Greater Sydney Commission's Regional Plan and District Plan.

The Draft ILP has been prepared to support the Planning Proposal and Precinct rezoning and has been informed by extensive specialist consultant studies. The site will comprise approximately 2,650 dwellings and a population of 8,049 people within a thriving community supported by:

- Easy access to jobs in the Western Sydney Aerotropolis
- Local shops, community uses and services, and proximity to the Oran Park Town Centre
- 18.9 ha of open space
- Sporting fields, local parks, playgrounds and other nature-based recreation areas
- Pedestrian and cycling connections including a central green corridor
- A future local school
- Stormwater and services infrastructure

The proposed new planning controls comprise amendments to the *State Environmental Planning Policy (Precincts—Western Parkland City) 2021* and associated environmental planning instruments including the rezoning of the Precinct to reflect land uses shown in the Draft ILP.

This Planning Proposal also seeks to introduce a site-specific Schedule to the *Camden Growth Centre Precincts Development Control Plan* to support the Precinct's development in accordance with the Draft ILP and supporting technical investigations.



Figure 1: The study area

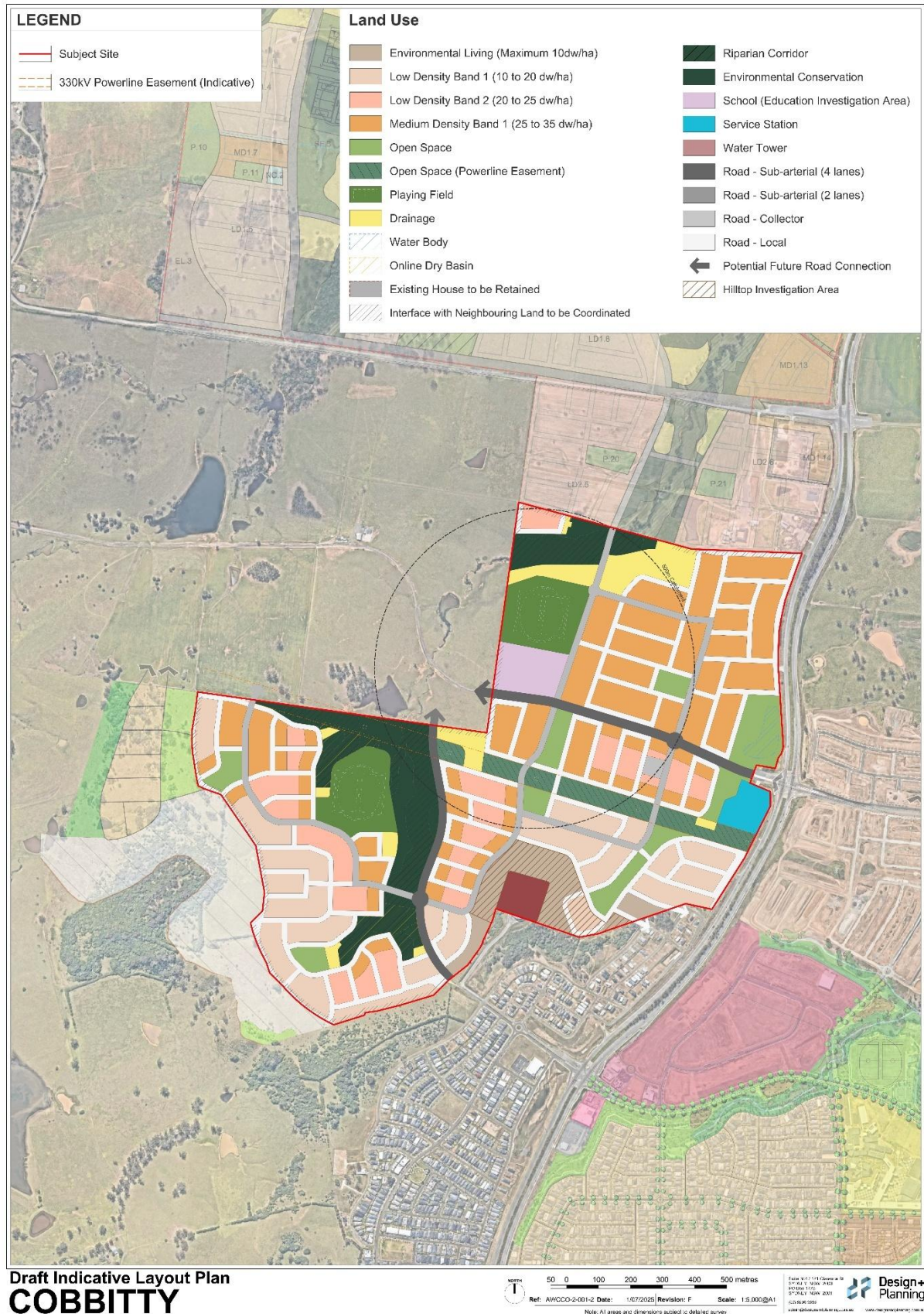


Figure 2: Draft ILP of Cobbitty (source: Design and Planning 2026)

1.2. Site history

In 1805, John Macarthur circumvented a law preventing settlement of the area known as the Cowpastures, to the south west of the Nepean River, and obtained a grant of 5,000 acres of land he named 'Camden'. It was not until 1812 that further land in the Cowpastures was granted by Governor Macquarie. Robert Lowe was one of the earliest settlers in the area after he was granted 1,000 acres he named 'Birling' in 1812. Charles Hook received a grant of 1,100 acres, known as 'Denbigh', and in 1816, 3,000 acres was granted to John Dixon which was known as 'Nonorrah'. The area known as the Cowpastures appealed to European settlers because there was little undergrowth to discourage the lush grasses that made it ideal for grazing cattle. By 1818 most of the Cowpastures land located in Parish of Cook, County Cumberland had been settled and was cleared for farming (Denbigh SHR listing).

A parish map dated to 1928 (Figure 3) demonstrates that the southwestern portion of the study area is located on part of the original Denbigh property. Charles Hook was a merchant and businessman who arrived in Sydney in June of 1808 to join the Australian branch of a shipping company called Campbells, Hook & Co. of which he was a partner. Hook was also an original shareholder in the Bank of New South Wales, a member of the general committee of the New South Wales Philanthropic Society and held office under Macquarie as a magistrate (Australian Dictionary of Biography 1966). Hook's company was bankrupted and dissolved in 1816 and Hook retired to his land grant where he died in 1826. At that time the property was growing wheat, maize, grapes and olives and the farming buildings were clustered around the main house (Denbigh SHR Listing).

The property was purchased by the well-known parson Thomas Hassall, who extended the homestead and farm infrastructure, however the property remained a nucleus of farm buildings surrounded by agricultural and pastoral land. In 1866 Charles McIntosh, a Scottish farmer, leased land at Denbigh and purchased the following year when Thomas Hassall died. The McIntosh family remain in ownership of the property, and it functions as a cattle stud (Denbigh SHR Listing).

Following a landscape assessment and curtilage study completed for the McIntosh family in 2006 by a team of consultants, areas of the property that were assessed as being outside the core curtilage of the property were subdivided off to provide funds for the ongoing conservation and maintenance of the highly-significant main farm, its landscape, structures and buildings. The core curtilage area was listed on the State Heritage Register in 2006 and is reduced in size from the original 1,100 acre grant. The portion of the study area that was within the Denbigh property was not subject to development and remained agricultural and pastoral in use.

The majority of the study area is located on John Dixon's Nonorrah estate. Dixon was a Scottish engineer and millwright who arrived in Sydney in 1813 with Australia's first steam engine. Macquarie granted him 3,000 acres and ten convicts in the Cowpastures area where he ran stock. Dixon returned to England in 1838 and the property was subdivided into smaller lots and sold between 1840 and 1854. Maryland is a remnant of Dixon's original grant and was purchased in 1854 by Thomas Barker who was Dixon's apprentice engineer. The current house was built by Barker and the property functioned as vineyard and cattle grazing property.

Lowes Creek separated Dixon's Nonorrah from Lowe's Birling to the north. The Northern Road traversed through Dixon's property and later the reduced curtilage of Maryland from Cobbitty Road in the south to Bringelly Road in the north and provided access to numerous land grants along its route. The study area does not contain any of the original homesteads or farming infrastructure associated with the early land grants.

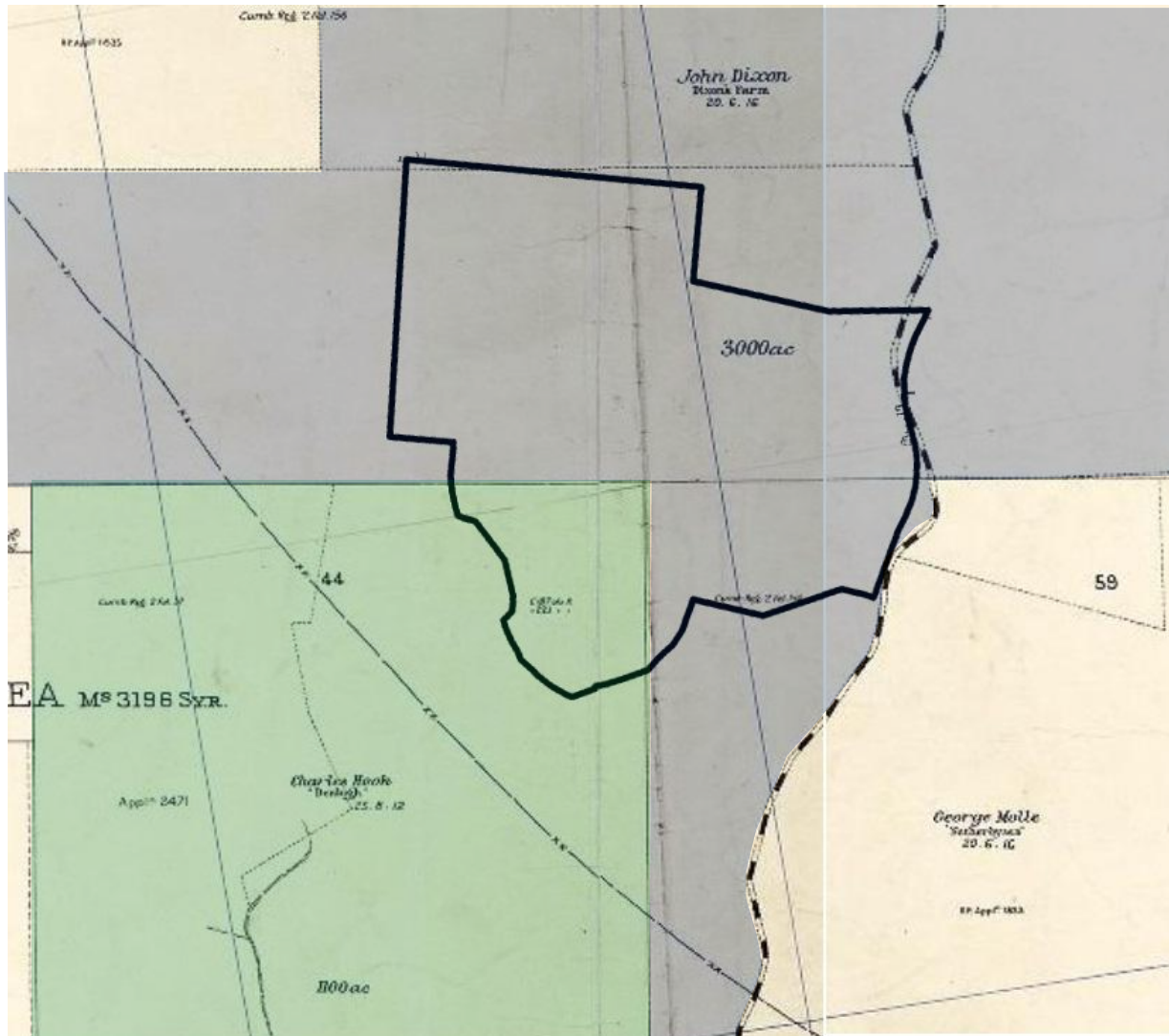


Figure 3: The study area overlain onto 1928 Parish of Cook map (HLRV LPI) Hook's property (green) and Dixon's (blue)

Bringelly was a name given to a district of Sydney in the early 19th century. The first Post Office in the area was opened in 1857 as Luddenham Post Office, but in 1863 was renamed Bringelly. The first public school at Bringelly was opened in 1878, and by that time most farmers in the area were farming dairy cattle and the large estates were in the process of subdivided into smaller farms.

In 1906 the Shire of Nepean was formed, covering the area from Hoxton Park in the west to the Nepean River and south as far as Narellan. In 1948, the amalgamation of Local Government Areas resulted in the suburb of Bringelly being split between Liverpool and Camden Councils as it remains today.

1.3. Previous heritage assessments

Eco Logical Australia, 2018. South Creek West Precincts, South West - Aboriginal and Historical Heritage Constraints Assessment. Prepared for Boyan Holdings Limited.

ELA prepared a desktop Aboriginal and historical heritage constraints assessment, for the South West land package. The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area, however field survey and a Statement of Heritage Impact (SoHI) was recommended to assess archaeological potential of the study area and to assess any impacts of the proposal on Maryland Estate and Denbigh Estate. The study

concluded that the potential for Aboriginal sites within the study areas was moderate to high, based on previously identified AHIMS sites within and adjacent to the study area, especially in areas that include creek lines and areas less disturbed by past agricultural practices.

Eco Logical Australia, 2018. *Bringelly Residential Rezoning – Aboriginal and Historical Heritage Constraints Assessment*. Prepared for Stockland.

ELA prepared a heritage assessment for four parcels of land along The Northern Road, Bringelly (part of which is located within the current study area) and two parcels of land along Chittick Lane, Cobbitty. The report found that historical heritage constraints were considered low as there are no known historical archaeological sites or heritage items within the study area. The study concluded that the potential for Aboriginal sites within the study areas was moderate to high, based on the landform presence of creek lines and previously identified AHIMS sites.

Tropman & Tropman Architects, 2017. *Thomas Barker Estate: Maryland & Lowe's Birling Conservation Management Plan*. Prepared for Macarthur Developments Pty Ltd.

This CMP was prepared for the NSW Department of Planning and Environment via Macarthur Developments Pty Ltd to review and update the existing documentation of the property, investigate and analyse the physical evidence available to formulate a statement of cultural significance, and to provide management guidelines to enable this significance to be retained in future use and development. The surrounding land is subject to rezoning.

Design 5 Architects, 2008. *Denbigh 421 The Northern Road, Cobbitty, NSW 2570: Conservation Management Plan and Curtilage Study*. Prepared for the Department of Planning.

The purpose of this study was to define those areas of the property essential to Denbigh's significance, and then to define those areas which could be alienated for urban development. The estate was subsequently listed on the NSW State Heritage Register. Relevant consultants were engaged by Design 5 to assist with the identification and assessment of significant Aboriginal archaeology, European historical significance and cultural landscape aesthetic significance. This report responds to the 2003 NSW Government release of rural land for urban development in the Bringelly area, the southern part of which includes the Denbigh estate.

1.4. Physical analysis

A site visit was conducted by ELA Principal Heritage Consultant Karyn McLeod on 1 May 2020. It was neither possible or necessary to survey the entirety of the study area, however targeted areas of potential were investigated on foot based on historical research and aerial mapping. Upgrades to The Northern Road limited access to some properties.

The study area is generally made up of a gently undulating landform and contains numerous waterways with associated chain-of-pond features running through the landscape connected with Lowes Creek to the south, South Creek to the east and Thompsons Creek to the west, as well as a number of artificial dams. This soil landscape contains hard setting brown clay loam (Bannerman and Hazelton 1990:92) that has principally been used for pastoral activities in the past. The study area is generally cleared with vegetation remaining on the ridge lines and creek lines.



Figure 4: The Northern Road and tree line of Lowes Creek to the north of the study area



Figure 5: Maryland, the main house is located on a rise surrounded by trees while the stables and sheds are located on the flats



Figure 6: Stone house on the Northern Road - part of the Maryland property



Figure 7: The study area, dam and pine trees planted along a fence line, view north east



Figure 8: The Northern Road large residential lot



Figure 9: Transmission line in the southern part of the study area



Figure 10: Ridgeline in the southern part of the study area and disturbed areas adjacent to the Northern Road



Figure 11: Photo 6 Oran Park development to the south of the study area and east of Denbigh

The study area contains a range of rural residences and grazing properties, the majority of which comprise modern houses and sheds. Both native and introduced trees have been planted to mark fence lines, driveways and boundaries and African Olive and Box Thorn have run rampant across much of the southern part of the study area. A transmission line runs through the southern part of study area roughly in an east/west direction. The Oran Park residential development is located to the south of the study area adjoining Denbigh.

The study area and Denbigh do not share a boundary and at their closest point are 120m apart. A ridge line also prevents views to and from Denbigh from the study area.

The study area does not share a boundary with Maryland and is separated by an unnamed property access road along its north eastern margin.

2. Significance Assessment

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. These include historical, associative, social, aesthetic, research potential, rarity, and representative.

The study area is not a heritage item and contains none of the heritage values that would fulfill the criteria for heritage listing. It contains no structures, objects, features or deposits related to early land use or occupation. The study area is listed not listed on any statutory heritage registers, however, the State Heritage listed 'Denbigh' is located approximately 300m to the south-west of the study area and the State Heritage listed 'Maryland' is located approximately 500m to the north (Figure 12).

2.1. Statement of Significance

2.1.1. Denbigh

The Denbigh SHI listing includes the following statement of significance:

'Denbigh is of State significance as an intact example of a continuously functioning early farm complex (1817-1820s) on its original 1812 land grant. It contains a rare and remarkable group of homestead, early farm buildings and associated plantings with characteristics of the Loudon model of homestead siting within an intact rural landscape setting fundamental to its interpretation. The large collection of early farm buildings is perhaps the most extensive and intact within the Cumberland/Camden region.

It has historic associations with pioneering Anglican minister Thomas Hassall and its relationship with the early Heber Chapel and the township of Cobbitty. The estate is significant as an early contact point between Aboriginal and European culture and is of social significance for the descendants of the Hassall and Macintosh families. It retains its historic views across the valley to Cobbitty in the west.

The place is of scientific significance for its potential to reveal, through archaeology, evidence of both early European farming practices and aboriginal occupation. The significance of Denbigh is considerably enhanced by the extent to which it has retained its form, character, fabric and rural setting (Heritage Office).

The Denbigh estate is of exceptional cultural significance for its historical, aesthetic, social and technical values.

The homestead and attendant farm buildings are an exceptionally rare and intact group of structures dating from the very early 19th century. They demonstrate the aspirations of, and continuous occupation by only 3 families as well as the continuous evolution of their farming and grazing practices over this period. The extant structures, intact pastoral landscape, associated family and public records archives, all combine to make this a very rare and important place in the history and evolution of NSW. This is strengthened by the survival of significant physical and historic links with the surrounding early roads and settlements as well as significant buildings and structures built by the Hassall family, the second family to own the estate. It is one of several important colonial estates in the local area including Maryland, Wivenhoe, Brownlow Hill and Raby.

The establishment of the Denbigh farm by Charles Hook (1809-1826), its subsequent ownership and development by the famous 'galloping parson' Thomas Hassall (1826-1886), and then by the

MacIntosh family to the present time, connects the place with very important figures in the development of this area of NSW.

The physical evidence of Aboriginal occupation of the estate, both prior to and after European arrival backed up by documented evidence of this including ceremonial use, strengthens the integrity and rarity of the continuous physical record of the place. Important named historical Aboriginal figures such as Cannbaygal, a visiting chief from the mountains, are associated with the Denbigh farm, and possibly also Cogy (Cogrewoy) a leader of the 'Cowpastures' Tribe who also acted as guide through the district to Macquarie and Barrallier.

The fact that the landscape remains as undeveloped agricultural /pastoral land, retains the sense, both physically and visually of this connection with all of these periods and occupations.

The Denbigh farm estate retains a curtilage and setting of exceptional historic and aesthetic significance. Unlike most of its early colonial contemporaries in the Cumberland Plain, it retains this curtilage and setting in a largely uncompromised state, and thus its integrity, from the time of early European occupation.

The landscape and setting of the homestead and outbuildings and the views to and from these, provide a very rare and intact early colonial landscape of great beauty and integrity and of exceptional cultural significance to the state of NSW. The Denbigh estate contains areas of varying significance in relation to their role in the curtilage of the place' (State Heritage Inventory, 2006).

2.1.2. Maryland

The Maryland SHI listing includes the following statement of significance:

'Maryland is of State significance as a highly intact major mid-19th century rural estate, built on an 1816 grant of 3000 acres within the Cumberland Plain which continues as a working estate.

It is closely associated with two families, that of prominent 19th century engineer, businessman and philanthropist Thomas Barker who established the estate from 1857, as well as his son and local identity, Thomas Charles Barker. The estate was then occupied by the Thomson family from 1910, particularly by Annie and Elizabeth Thomson, who were prominent in the local community and the dairy industry. The Barker and Thomson families owned Maryland until 2012, while members of the Thomson family continue to live in the homestead, a total of c.160 years of continuous occupation by two families.

It occupies a prominent hilltop location forming an important reference point in the local area, further emphasised by the conspicuous old Araucaria pine plantings and gate lodge along the Northern Road. The homestead and associated estate layout, gardens and plantings have characteristics of the Summit Model of homestead siting within an intact rural landscape setting fundamental to its interpretation. The traditional rural landscape character and its setting is largely uncompromised.

Maryland retains the nineteenth century estate layout and design by engineer Thomas Barker and his son Thomas Charles Barker. It contains an outstanding group of estate buildings including homestead, two gatehouses, winery buildings, a home farmhouse and associated stables and coach house, store building, several dairy buildings, a hay barn and many minor structures. The winery and store may be the oldest surviving winery buildings in Australia

Maryland is a rare example of mid-19th century garden design and remains an historical resource in its remnant gardens and vineyards. Other historically related rural landscape elements beyond the homestead may still be appreciated in relation to it, including the driveways, home farm, creek lines, fence lines, in a considered arrangement. It retains important traditional historic views to and from The Northern Road.

The potential archaeological remains at Maryland are likely to include material associated with domestic occupation of the Barker and Thomson families, their household staff/servants, the archaeology of the workers and their families, notably those of German heritage, the nature and use of the winery and farm buildings and the landscaping of the garden and extensive remnant vineyard fields. This has created a complex and layered landscape: much of which is visible but there are also buried and disused aspects of the place which archaeological analytical and spatial approaches could allow for further definition and understanding.

The potential archaeological remains have historic significance through their association with larger themes including the development of wine growing and dairy farming in the local area, German migration to NSW and everyday life on a large farm and 'gentleman's estate'. They also have archaeological research significance through their ability to address various research questions related to rural domestic life, farm and winery practices and technology, and the rural landscape.

The potential archaeological remains could provide material for comparisons both within different houses on the site, and with other sites.

It offers an outstanding landscape archaeological resource with its extensive remnant vineyard fields and other remnant functional and ornamental plantings. It has high potential to yield information about the technology of nineteenth century building construction and the function of farm buildings.

The estate is highly representative of a nineteenth century estate, being complete, integrated in design and intact' (State Heritage Listing 2021).

Southwest Precinct

While the study area is associated with two significant early land grants, there is nothing on the site to demonstrate or reflect this association or connections with historically important activities or processes. The boundaries of the study area do not reflect the early land grants, and the land has been used for farming activities like so many other allotments in the region. The study area has no evidence of creative or technical innovation or achievement, nor does it have landmark qualities. The historical development of the study area does not suggest that there were ever any buildings constructed on the site or activities undertaken that would result in an archaeological resource and therefore the study area does not have potential to yield new or further substantial scientific and/or archaeological information.

The study area does not meet the threshold for local or state significance.



Figure 12: Heritage listings in relation to the study area

3. Proposed works

3.1. The proposal

The proponent seeks to initiate the preparation of a Planning Proposal for the rezoning of Precinct 5, consistent with the Draft Indicative Layout Plan (ILP) (Figure 2). This is to facilitate the redevelopment of Precinct 5 into a residential community.

The Draft ILP has been prepared to support the Planning Proposal and Precinct rezoning and has been informed by extensive specialist consultant studies. The site will comprise approximately 2,650 dwellings and a population of 8,049 people within a thriving community supported by:

- Easy access to jobs in the Western Sydney Aerotropolis
- Local shops, community uses and services, and proximity to the Oran Park Town Centre
- 18.9 ha of open space
- Sporting fields, local parks, playgrounds and other nature-based recreation areas
- Pedestrian and cycling connections including a central green corridor
- A future local school

No works are proposed within the curtilage of 'Denbigh' or 'Maryland'.

3.2. Background

3.2.1. Pre-lodgement consultation

No heritage specific pre-lodgement consultation has been received.

3.2.2. Considerations of alternatives

No options have been provided. The alternative consideration is to 'do nothing' which would hinder the capacity to service the growing community in the Precinct. The study area is not a listed heritage item, is not located in a Conservation Area and the site survey did not locate any potential heritage items or archaeological sites.

The proposed works would take place outside of the curtilage of the State Heritage listed 'Denbigh' and 'Maryland'. No alternatives are required as no heritage fabric or layout would be impacted or removed.

4. Heritage Impact Assessment

4.1. Matters for consideration

Before making decisions to change a heritage item it is important to fully consider all parts. This leads to decisions that will retain heritage values in the future. Each of the following aspects have been considered in relation to Assessing heritage significance (Heritage NSW 2025) and following the approach in Guidelines for preparing a statement of heritage impact (Heritage NSW 2023).

4.1.1. Fabric and spatial arrangement

The proposed works would take place outside the curtilage of the State Heritage listed Denbigh and Maryland. The proposed works will not impact on the fabric or spatial arrangement of the heritage item.

4.1.2. Setting, views and vistas

Potential impacts to the views and vistas of the listed heritage items have been considered during the site inspection. Sympathetic solutions for any impacts of future development that results from this subdivision have been considered and include open space covering portions of the southern boundary of the study area and providing a vegetated buffer in the direction of Denbigh. The heritage curtilage of Maryland is proposed to be considerably reduced allowing rezoning of additional land between the heritage item and the boundary of the study area. Views to and from Maryland and the study area will contain open space playing fields and low-density housing.

The study area and Denbigh do not share a boundary and at their closest point are 120m apart. A ridge line also prevents views to and from Denbigh from the study area. The study area does not share a boundary with Maryland and is separated by an unnamed property access road along its north eastern margin and undulating terrain and tree plantings which obscure views to and from Maryland from the study area. The proposal will not cause a visual impact to the items.

4.1.3. Landscape

The proposed works would take place outside the curtilage of the State Heritage listed Denbigh and Maryland. The study area contains a range of rural residences and grazing properties, the majority of which comprise modern houses and sheds. Both native and introduced trees have been planted to mark fence lines, driveways and boundaries and African Olive and Box Thorn have run rampant across much of the southern part of the study area. A transmission line runs through the southern part of study area roughly in an east/west direction. The Oran Park residential development is located to the south of the study area adjoining Denbigh.

4.1.4. Use

The proposed works will take place outside of the curtilage of Denbigh and Maryland and will have no impact on the current use of these heritage items. Denbigh and Maryland will retain the ability to be viewed and appreciated by the public, and users of the items.

4.1.5. Demolition

No demolition is proposed within the curtilage of the heritage item or within the study area.

4.1.6. Curtilage

No works are proposed within the curtilage of the heritage items and the curtilage of the heritage items will not be changed.

4.1.7. Moveable heritage

No moveable heritage has been identified within the study area.

4.1.8. Aboriginal cultural heritage

An Aboriginal heritage assessment has been undertaken for the study area. The findings of the assessment are provided in a separate report (*ELA 2025. Cobbitty Sub-Precinct 5 – Preliminary Aboriginal Heritage Assessment. Prepared for JJ Cobbitty Developments Pty Ltd*).

4.1.9. Historical archaeology

Archaeological Potential is defined as:

The degree of physical evidence present on an archaeological site, usually assessed on the basis of physical evaluation and historical research. Common units for describing archaeological potential are:

- known archaeological features/sites (high archaeological potential)
- potential archaeological features/sites (medium archaeological potential)
- no archaeological features/sites (low archaeological potential) (OEH 2011).

Using a series of aerial images and the history of the study area, the site survey targeted areas that were assessed to have archaeological potential. These included fence lines, stock yards, former access tracks, rubbish dumps and disturbed landforms. Apart from exotic plantings, and trees - generally pines, planted along fence lines, there was no evidence of previous structures, building materials, former roads or land use. All structures and access within the study area is modern.

The historical development of the study area does not indicate that there were ever any buildings constructed in the study area or activities undertaken that would result in a significant archaeological resource. The site survey confirmed that the study area has low archaeological potential and will not yield new or further substantial scientific and/or archaeological information.

4.1.10. Natural heritage

The study area contains a range of rural residences and grazing properties, the majority of which comprise modern houses and sheds. Both native and introduced trees have been planted to mark fence lines, driveways and boundaries and African Olive and Box Thorn have run rampant across much of the southern part of the study area. The proposal would not impact on any natural heritage.

4.1.11. Conservation areas

The proposed works are not located within a conservation area.

4.1.12. Cumulative impacts

Denbigh and Maryland are significant as early homestead and farm complexes and have historical social, aesthetic, scientific/technical values. The study area has been used for cattle grazing since the earliest land grants were issued for the area and there is no evidence to suggest that there were previous structures or uses of the land.

The proposal does not propose any impacts within the curtilage of the heritage items and the proposal does not obscure views to, and from, Denbigh and Maryland. The subdivision and future development of the study area is separated from the heritage items by either road or open space and does not compromise or impact the curtilage or significance of the heritage items.

The proposal would not have a cumulative impact on the significance of the heritage items.

4.1.13. Camden Local Environment Plan 2010

The objectives of Heritage conservation in the Camden LEP are to conserve the environmental heritage of the Camden LGA including the fabric, settings, views and heritage significance of heritage items and heritage conservation areas, archaeological sites, and Aboriginal places of heritage significance.

Table 1: Section 5.10 LEP clauses

Clause	Discussion
Objectives	
The objectives of this clause are as follows—	
(a) to conserve the environmental heritage of Camden, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	
Requirement for consent Development consent is required for any of the following— (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)— (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area, (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item, (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed, (d) disturbing or excavating an Aboriginal place of heritage significance, (e) erecting a building on land— (i) on which a heritage item is located or that is within a heritage conservation area, or (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.	The study area is not locally listed heritage item, nor is it located within a conservation area. However, the study area is located in proximity to the curtilage of two State significant items. This SoHI is required to consider potential impacts to the heritage items. It is considered that the proposal would not impact the identified heritage significance of these heritage items. In addition, the study area has been assessed as maintaining no potential for significant historical archaeological resources. As such, the proposed works will not disturb or destroy known historical archaeological objects or relics. Impacts to Aboriginal objects have been considered in a separate assessment (ELA 2025).
(4) Effect of proposed development on heritage significance	
The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a	
This SoHI has been prepared in order to accompany a Planning Proposal, in order to assist the consent authority in determining the potential impact of future works upon the heritage listed subject site.	

Clause	Discussion
heritage management document is prepared under subclause (5), or a heritage conservation management plan is submitted under subclause (6).	
(5) Heritage assessment	
The consent authority may, before granting consent to any development:	This document fulfils this requirement as the study area is land in proximity (<300m) to which a heritage item is located.
(a) on land on which a heritage item is located, or	
(b) on land that is within a heritage conservation area, or	
(c) on land that is within the vicinity of land referred to in paragraph (a) or (b),	
require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	

4.1.14. Development Control Plan

The study area is subject to controls under the Camden DCP 2019. There are no specific controls that apply to the proposal.

4.1.15. State Environmental Planning Policy (Precincts—Western Parkland City) 2021

The study area is subject to controls under the SEPP (Precincts – Western Parkland City) 2021. There are no specific controls that apply to the proposal.

5. Conclusion and Recommendations

The study area and surrounds are in the process of large scale rezoning as part of the SWGA. The study area has been used for cattle grazing since the earliest land grants were issued for the area and there is no evidence to suggest that there were previous structures or uses of the land. The study area has no heritage significance, and the proposal will not impact on potential heritage items or archaeological sites.

Denbigh and Maryland are significant as early homestead and farm complexes and have historical social, aesthetic, scientific/technical values. The proposal does not obscure views to, and from, Denbigh and Maryland. The subdivision and future development of the study area is separated from the heritage items by either road or open space and does not compromise or impact the curtilage or significance of the heritage items.

No direct (physical) or indirect (visual) impacts will occur to the significance of the State Heritage listed Denbigh or Maryland.

The *Heritage Act 1977* (NSW) provides protection of the environmental heritage of the State which includes places, buildings, works, relics, moveable objects or precincts that are of State or local heritage significance. The study area is located outside the heritage curtilage of Denbigh and Maryland and is not expected to cause an impact to the site's heritage significance. As such, approval from the Heritage Council is not required.

5.1. Recommendations

Historical archaeological relics are protected under the *Heritage Act 1977* regardless of whether they are listed or not. Based on the results of this assessment, the study area has no archaeological potential therefore future subdivision, excavation and ground disturbance works associated with the proposal can go ahead without further approvals.

Future controls for the study area should consider roof heights of residences on the southern boundary of the study area are below the ridge line so that the future development of the study area will not result in visual impacts to Denbigh.

Should the scope of works change, this SoHI should be amended to reflect these changes, to assess any potential impacts to heritage values within the vicinity of the study area.

Recommendation 1 - Unexpected finds procedure

A standard unexpected finds process should be adopted during works associated with the proposal as a mitigation measure as follows;

- An 'unexpected heritage find' can be defined as any unanticipated archaeological discovery, that has not been previously assessed or is not covered by an existing approval under the *Heritage Act 1977* (Heritage Act) or *National Parks and Wildlife Act 1974* (NPW Act). These discoveries are categorised as either:
 - Aboriginal objects (archaeological remains ie: stone tools),
 - Historic (non-Aboriginal) heritage items (archaeological remains (ie: artefacts) or movable objects),
 - Human skeletal remains.

- Should any unexpected historical archaeology be uncovered during any future excavation works, the following procedure must be adhered to:
 - Stop all work in the immediate area of the item and notify the Project Manager.
 - Establish a 'no-go zone' around the item. Use high visibility fencing, where practical. Inform all site personnel about the no-go zone.
 - No work is to be undertaken within this zone until further investigations are completed.
 - Engage a suitably qualified and experienced Archaeologist to assess the finds.
 - The Heritage Council must be notified if the finds are of local or state significance. Additional approvals will be required before works can recommence on site.
 - If the item is assessed as not a 'relic', a 'heritage item' or an 'Aboriginal object' by the Archaeologist, work can proceed with advice provided in writing.

6. References

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