

3 June 2022

Ms Nicole Topple  
 Principle Planner  
 Walker Corporation Pty Ltd  
 Via email: [Nicole.Topple@walkercorp.com.au](mailto:Nicole.Topple@walkercorp.com.au)

Dear Ms Topple,

**Re: Oakhampton Rezoning Planning Project Preliminary Heritage Impact Statement (Niche ref: #7313)**

In response to Walker Corporation Pty Ltd's requirement for Heritage Advice regarding the proposed rezoning planning proposal for a site located at Oakhampton, Maitland NSW (the Subject Area), Niche Environment and Heritage (Niche) has completed this Preliminary Heritage Impact Statement (PHIS). This Preliminary Heritage Impact Statement (PHIS) will examine the statutory and heritage constraints acting on the proposed rezoning of land, present a preliminary assessment of potential heritage impacts, and provide some recommendations to inform the design of works and the steps necessary to support a development application for the proposed works. These proposed works involve the rezoning of land, measuring approx. 53.66 ha, as part of the planning proposal process for the Aberglasslyn Urban Release Area on the Hunter River (see Attachment A). The properties associated with the rezoning proposal include Lot 1 DP 1012258; Lot 8 DP 248331; Lot 7 DP 248331; Lot 6 DP 248331; Lot 5 DP 248331; Lot 1 DP 562346; Lot 2 DP 562346; Lot 3 DP 562346; Lot 4 DP 248331; Lot 1 DP 1086271; Lot 1 DP 826919; Lot 66 DP 810466; Lot 7 DP 998430; and Lot 8 DP998430 (the "Subject Area"; See Attachment A).

The Subject Area is in Oakhampton within the Maitland Local Government Area (LGA) and contains the junction of Kezia and Oakhampton Roads (See Attachment A). Table 1 conveys its boundaries below.

**Table 1: Boundaries of Subject Area**

Boundary	Features	Boundary	Features
Western Boundary	Dunnart Street to the west. Western extent of six properties: Lot 8 DP 248331 Lot 7 DP 248331 Lot 6 DP 248331 Lot 5 DP 248331 Lot 1 DP 562346 Lot 1 DP 1086271	Northern Boundary	Hunter River to the North
Southern Boundary	Southern extent of four properties: Lot 1 DP 1086271 Lot 1 DP 826919 Lot 66 DP 810466 Lot 7 DP 998430	Eastern Boundary	Eastern extent of two properties: Lot 1 DP 1012258 Lot 7 DP 998430

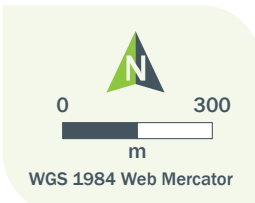
## 1. Identification of Heritage Constraints

Niche has undertaken searches of the following heritage registers and listings: *the World Heritage List* (WHL); *the National Heritage List* (NHL); *the Commonwealth Heritage List* (CHL); the (non-statutory) *Register of the National Estate* (RNE); *the State Heritage Register* (SHR); *the s.170 NSW State Agency Heritage Registers* (s.170 Register); *the Maitland Local Environment Plan 2011* (Maitland LEP 2011) and the *Maitland Development Control Plan 2011* (Maitland DCP 2011). Figure 1 and Table 2 show the results of these searches.

**Table 2: Statutory Heritage Items within proximity of the Subject Area**

Item Name	Item Listing Type	Level of Significance	Item number	Relationship to Subject Area
Aberglasslyn House Heritage Conservation Area	Maitland LEP 2011	Local	LEP: C7	This item is within 100 m of the Subject Area. It is located adjacent to the northwest section of the Subject Area.
Government Railway	Maitland LEP 2011	Local	LEP: I119	This item is within 100 m of the Subject Area. This item is located adjacent to the southeast section of the Subject Area.
Maitland Vale	Maitland LEP 2011	Local	LEP: I184	This item is located at least 600 m north of the Subject Area on the northern side of the Hunter River.
Former Oakhampton Public School	Maitland LEP 2011	Local	LEP: I220	This item is at least 193 m east of the Subject Area.
Walka Water Works	Maitland LEP 2011	State/Local	SHR: 00466 LEP: I222	This item is at least 900 m south of the Subject Area.





**Maitland LEP 2011 plan showing State and Local listed heritage items around the Subject Area**

**Oakhampton Rezoning Planning Project Preliminary Heritage Impact Statement**

Niche PM: Samuel Ward  
Niche Proj. #: 7313  
Client: Walker Corporation Pty Ltd

**Figure 1**

Spot2020Q1: /World Imagery: Maxar/public/NSW\_Imagery: © Department of Customer Service 2020/Terrain: Multi-Directional Hillshade: Airbus,USGS,NGA,NASA,CGIAR,NCEAS,NLS,OS,NMA,Geodatastyreisen,GSA,GSI and the GIS User Community | Watercourses, Waterbodies, Road and Rail alignments, Protected areas of NSW © Spatial Services 2021. | Niche uses GDA2020 as standard for all project-related data. In order to ensure that data from numerous sources and coordinate systems is aligned, on-the-fly transformation to WGS1984 Web Mercator Auxilliary Sphere is used in the map above. For ease of reference, the grid tick marks and labels shown around the border of the map are presented in GDA2020, using the relevant MGA zone.



## **Discussion of Heritage Items**

As is clear from the search results, there are no national or state listed heritage items within 100 m of the Subject Area. However, there are two locally listed heritage items that are within 100 m and require assessment for potential heritage impacts. Firstly, the Aberglasslyn House Heritage Conservation Area, where its eastern extent abuts with the north-western boundary of the Subject Area, specifically the western boundary of Lot 8 DP 248331 (Figure 1; Attachment A). Secondly, the Government Railway (item I119 on the LEP) that is immediately adjacent to the south-eastern border of the Subject Area, specifically abutting the south-eastern boundary of Lot 7 DP 998430 (Figure 1; Attachment A). There are other listed heritage items that are more than 100 away from the Subject Area. This includes the Walka Water works industrial area, the Maitland Vale property and the site of the Former Public School of Oakhampton.

### **Aberglasslyn House Heritage Conservation Area**

The Aberglasslyn House Heritage Conservation Area is a significant space, measuring over 22 hectares and is a locally listed heritage item for the Maitland Council (Maitland LEP 2011). It is home to the state listed Aberglasslyn House, a large rectangular house, which represents one of the very few houses in Australia to have incorporated the Greek Revival villa style (Heritage NSW State Heritage Inventory). This style was inspired by the late 18<sup>th</sup> and early 19<sup>th</sup> century English neo-classical villas. Construction of this building started in 1840, but construction stopped due to the financial depression of the 1840s (Heritage NSW State Heritage Inventory). After being sold and repurchased, it was later finished in a more compact design around 1860 (Heritage NSW State Heritage Inventory). The present incomplete state of the building provides a rare opportunity for the study of superior quality 19<sup>th</sup> century building techniques (Heritage NSW State Heritage Inventory). It is the earliest known surviving house with an integrated sanitary plumbing system in Australia (Heritage NSW State Heritage Inventory). The house and its surroundings represent the best-known examples of land settlement and leasehold farming evidence from the pre-1850s in the Maitland regional area (Heritage NSW State Heritage Inventory). Therefore, these surroundings are part of the Aberglasslyn House Heritage Conservation Area and is a locally listed heritage item for the Maitland Council (Maitland LEP 2011). This area may be impacted by the proposed works in the north-western corner of the Subject Area. Traditional timber posts and wire rural style fencing border the eastern extent of the Aberglasslyn House Heritage Conservation Area and is adjacent to the north-western corner of the Subject Area.

### **Government Railway**

The Government Railway is part of the active North Coast railway corridor between Maitland and Brisbane, and it also serves the local Hunter line branch that leads from Maitland to Dungog. The Hunter line branch was built in 1911 and was part of the construction of the main North Coast railway that was originally built between 1905 and 1932. Oakhampton used to have a railway station as part of this railway corridor that was opened in 1911 before being permanently closed in 1975. The ruins of Oakhampton station are at least 200 m east of the Subject Area but will not be impacted by the proposed works. However, the boundaries as part of this Government Railway item may be impacted by the proposed works in the south-eastern corner of the Subject Area.

### **Walka Water Works**

The Walka Water Works industrial complex is a state listed heritage item due to it being one of the largest and most intact 19<sup>th</sup> century industrial complexes in the Hunter Valley. The intact site features of a pump house, chimney and boiler house made from traditional polychrome brick structures support this area's

cultural landmark status. It must be noted that the Walka Water Works complex is nearly a kilometre south of the Subject Area.

### **Maitland Vale**

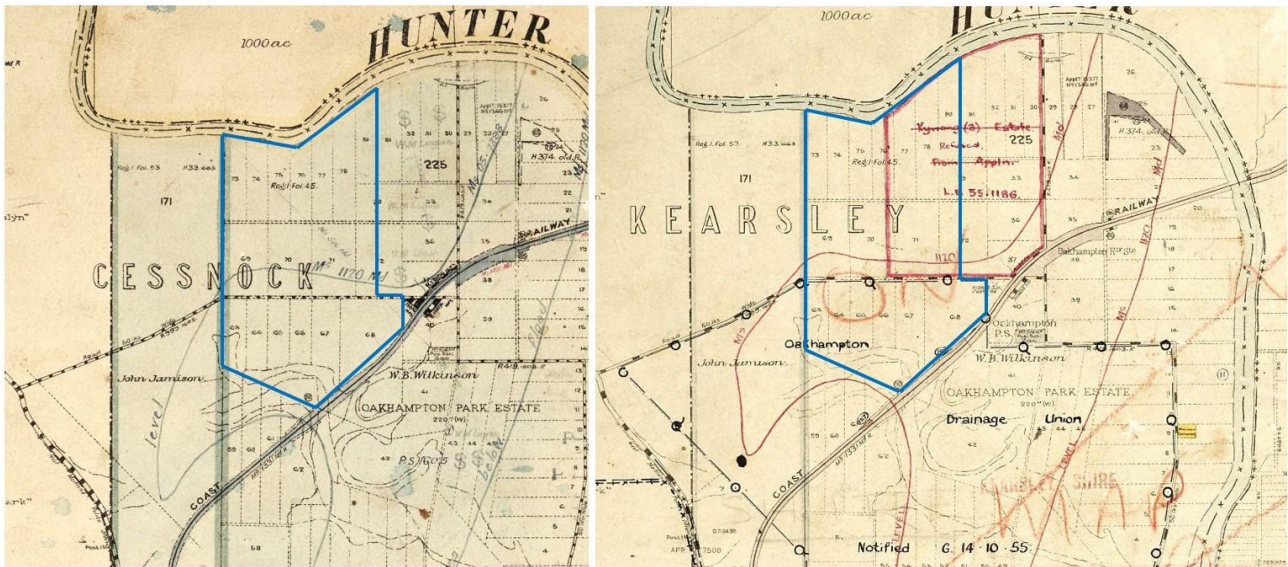
The Maitland Vale heritage item features a 40-hectare property at 133 Campbells Road, Maitland, where the Maitland Vale house is located and is considered one of the earliest stately homes to be built in the region. Judging from its design, this house is categorised as a 'Two Storey Brick House', the house style of which was common between the 1850s and 1860s (Maitland DCP 2011: 90). It could be that the Maitland Vale house was one of the first houses to pioneer this design within the Maitland region, before it was imitated amongst smaller houses that were built later.

### **Former School**

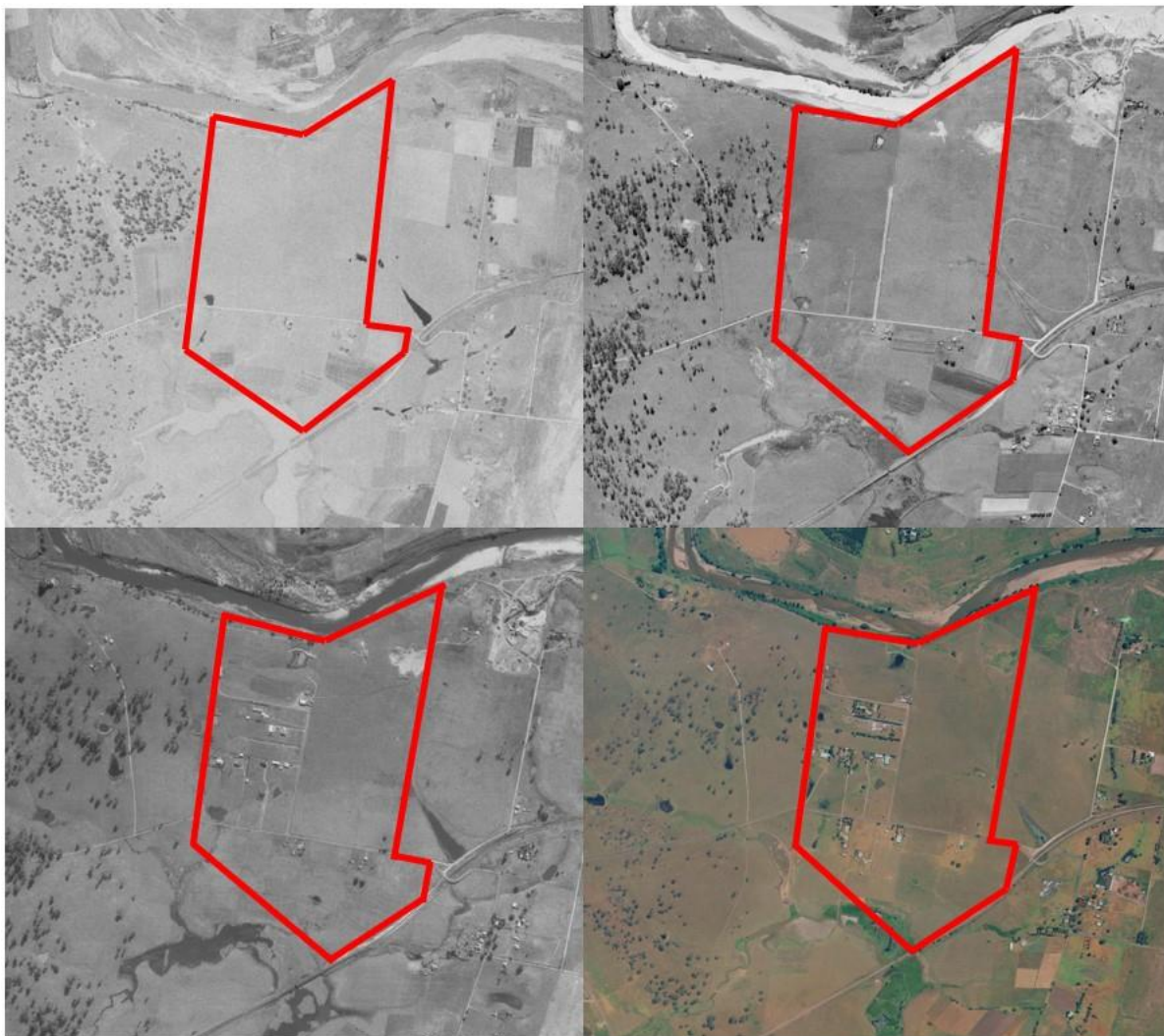
The former school in Oakhampton features on parish maps from 1912 and 1934 and may have heritage significance for being the first school to be built in the region (Plate 1). However, judging from the aerials from 1958 onwards, it seems to have disappeared and the site has been occupied by a modern residence (Plate 2).

### **Historical Summary**

The Subject Area is in the historic parish area of Maitland. Using historic parish maps and aerials of this area, it can be determined what phases of development have impacted the Subject Area in the last century. The earliest Maitland parish maps date to 1912 and convey that the Subject Area was part of 1000 acres (i.e., nearly 405 hectares) of owned land by William. B. Wilkinson as part of the Oakhampton Park Estate (Plate 1 - Left). This piece of land stretched over both sides of the North Coast railway, encompassing the local railway station, but was bordered by the Hunter River to its East and North, while the neighbouring lands of Houston Mitchell and John Jamison border its Southern and Western extents, respectively. We can also see from this map, the existence of the local public school for Oakhampton. The 1934 parish map shows that a new land estate was proposed to buy a portion of Wilkinson's land (marked in red), but it was refused (Plate 1 - Right). It is also recorded on this parish map that flood levels were recorded for the Hunter River, most likely in relation to the floods that affected the area in 1930 (Plate 1 - Right). Subsequent parish maps from 1958 for Maitland do exist, but they do not display this specific area of Oakhampton. Instead, aerial photographs can be used to determine the subsequent phases of development upon the subject area.



**Plate 1: The 1912 historic parish maps of Maitland with the Subject Area marked out in blue (Left). The 1934 historic parish maps of Maitland with the Subject Area marked out in blue (Right) (Source: Land Registry Services NSW).**



**Plate 2: Historic Aerial Photographs of the Subject Area (Marked Red) in Oakhampton. Aerial for 1958 (Top-Left); Aerial for 1975 (Top-Right); Aerial for 1984 (Bottom-Left); and Aerial for 2001 (Bottom-Right) (Source: NSW Government).**



The earliest aerials of the Oakhampton area date back to 1958 and show the Subject Area being occupied by at least two properties to the south of Oakhampton Road and west of the North Coast railway (Plate 2). During the 1970s and 1980s, more farming properties emerge on the Subject Area, specifically the area that encompasses Lot 2 DP 248331 from the north and Lot 4 DP 248331 to the south. This area seems relatively unchanged during the 1990s and early 2000s. Looking at recent satellite imagery from Google Earth, however, the nearby residential suburb of Aberglasslyn begins encroaching towards the western border of the Subject Area from the late 2000s onwards.

### **Archaeological potential**

From looking at the historic parish maps and aerials, the potential of archaeological deposits pertaining to historic heritage in this area is low. The proposed works may involve sub-surface disturbance to the area that is north-east of the Subject Area and abuts the Aberglasslyn House Heritage Conservation Area. With regards to the Government Railway zone that borders the south-eastern part of the Subject Area (I119), the continued maintenance and development of this line may not require any historical assessment due to the disturbed nature of the area.

Further assessment would assess these areas and provide an assessment of the likelihood for potential archaeological deposits in these locations, which could be protected under the 'relics' provisions (s.140) of the Heritage Act 1977.

## **2. Preliminary Impact Assessment**

This section is not designed to provide an impact assessment for the proposed works, but to identify any potential heritage impacts which are readily apparent without a Statement of Heritage Impact (SoHI) report being undertaken to assess the proposed works. This section cannot be taken to be a heritage impact statement but can be used to inform the design and planning process, in order to provide the best outcome for heritage preservation.

### **The Proposed Works**

It is understood that the proposed works will aim to rezone the subject area into an R1 General Residential zone for residential development. Furthermore, the flood affected areas to the north of the Subject Area, between the proposed R1 area and the Hunter River, will be rezoned into a C3 Environmental Management zone with the potential for a perimeter road. The proposed R1 rezoning could accommodate 550-600 residential lots with associated road, infrastructure, park etc. However, an existing C2 Environmental Conservation zone within the Subject Area will not be altered (See Attachment A).

### **Potential Impacts from the Rezoning.**

The Proposed Works' plans to rezone the subject area for residential development and newly managed environmental areas require careful consideration of the potential impacts of this redevelopment may impact nearby locally heritage listed items, specifically the Aberglasslyn Conservation Area and the nearby sector of the active North Coast railway corridor.

The most eastern extent of the Aberglasslyn Conservation Area abuts the north-western sector of the Subject Area, and this is distinctly marked by wooden fence posts. It is recommended that the original fences of a building or area should be retained and maintained because they contribute to the significance of the heritage item (Maitland DCP 2011: 106). Therefore, a Heritage Control Area has been made by the Maitland City Council to mitigate this risk by ensuring that development does not adversely impact upon

the setting and context of Aberglasslyn House, including its surrounding residue rural land (Maitland DCP 2011, Part F.3: 24-26). This Heritage Control Area also applies to the north-western sector of the Subject Area and will provide development parameter controls.

The sector of the North Coast railway may be impacted by the rezoning development if there is no suitable barrier being constructed to provide a buffer between it and the south-eastern sector of the Subject Area to mitigate encroaching risks. A high fencing barrier, like the one being made for the Southern precinct of the Aberglasslyn Urban Release Area, should be considered for the south-western sector of the Subject Area (Maitland DCP 2011, Part F.3: 39, Fig. 12).

The Former school site is at least 193 metres east of the Subject Area, but it is also 169 metres east of the North Coast railway corridor. It is unclear from this preliminary assessment what impact the proposed rezoning works will have on the Former School site. No further information about the school could be identified during the background research for this report. It is possible the former school site has been disturbed by later residential development.

The Maitland Vale property at 133 Campbells Road, Maitland is at least 600 m north of the Subject Area and the northern side of the Hunter River. The proposed works on the Subject Area will not impact the property physically for now nor its sightlines. Any future developments being planned for the northern side of the Hunter River to the north of the Subject Area will need to have this checked.

The Walka Water Works complex is almost a 1 km south of the Subject Area and will suffer less of an impact from its rezoning due to its distance from the Subject Area's rezoning development.

### 3. Recommendations and mitigation measures

Based on the information and discussion noted in this advice letter, the following recommendations have been developed, in order to assist the design process.

#### 1.1 Consider the Control Area boundaries for Locally listed Heritage items

As mentioned in the abovementioned sections of this Preliminary Heritage Impact Statement (PHIS), there are several Heritage items that are locally significant to the area, where the proposed works will occur in Oakhampton. It is recommended that the proponent considers the Maitland DCP about the control area boundaries for the heritage items that are near the Subject Area at the Development Application stage, especially the Aberglasslyn Conservation Area and the North Coast Railway corridor. This is important for building in appropriate buffer zones to preserve and conserve the heritage significance of these areas for the local community.

#### 1.2 Heritage Impact Statement

At the Development Application stage of the Subject Area's proposed works, a Heritage Impact statement should be completed to properly assess impacts to heritage value. It is important to note that finalised plans which specify impacts with regards to the proposed works will be required to carry out this type of assessment.

Should you have any questions regarding this advice, or require further information, please do not hesitate to contact myself at 0488 774 105, or [orochecouste@niche-eh.com](mailto:orochecouste@niche-eh.com).



Yours sincerely,



**Olivier Rochecouste**  
Heritage Consultant  
Niche Environment and Heritage

#### 4. Attachment A: Proposed Works Draft Plans

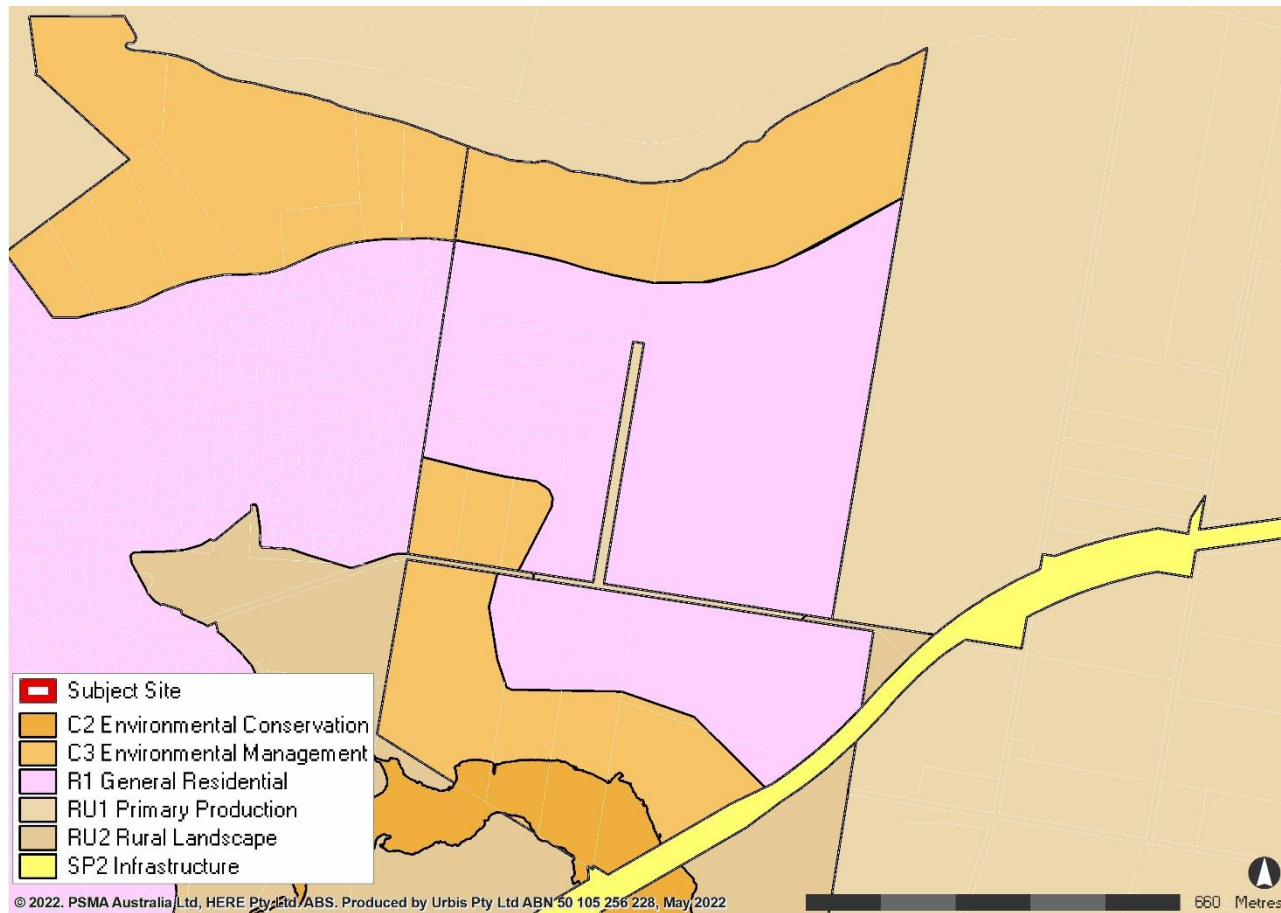


Table 1 - Planning Proposal Site - Property Description

	Property Description	Street Address	Land Area
1	Lot 1 DP 1012258	42 Kezia Road	35.2 Ha
2	Lot 8 DP 248331	43 Kezia Road	10.1 Ha
3	Lot 7 DP 248331	37 Kezia Road	2 Ha
4	Lot 6 DP 248331	35 Kezia Road	2 Ha
5	Lot 5 DP 248331	29 Kezia Road	2 Ha
6	Lot 1 DP 562346	502 Oakhampton Road	2 Ha
7	Lot 2 DP 562346	486 Oakhampton Road	2 Ha
8	Lot 3 DP 562346	478 Oakhampton Road	2 Ha
9	Lot 4 DP 248331	25 Kezia Road	2 Ha
10	Lot 1 DP 1086271	487 Oakhampton Road	7.2 Ha
11	Lot 1 DP 826919	473 Oakhampton Road	15.6 Ha
12	Lot 66 DP 810466	461 Oakhampton Road	4.7 Ha
13	Lot 7 DP 998430	355 Oakhampton Road	13.5 Ha
14	Lot 8 DP998430	355 Oakhampton Road	12.66ha



## 5. References

Heritage NSW State Heritage Inventory, 'Aberglasslyn', accessed 22/04/2022

<https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5045377>

Historical Imagery. Search and Discover Database, 'Historic Aerial Photos: NEWCASTLE (1958)', accessed 3/05/2022

<https://portal.spatial.nsw.gov.au/portal/apps/webappviewer/index.html?id=f7c215b873864d44bccdda8075238cb#>

Maitland City Council, 'Maitland Development Control Plan 2011. Part F – Urban Release Areas', accessed 5/05/2022 <https://www.maitland.nsw.gov.au/my-council/planning-and-reporting/publications-plans-and-strategies/planning-strategies/development-control-plan-dcp>

NSW Rail.net, 'North Coast Line', accessed 22/04/2022

[https://www.nswrail.net/lines/show.php?state=NSW&line=north\\_coast](https://www.nswrail.net/lines/show.php?state=NSW&line=north_coast)

Maitland City Council, 'Flooding in Maitland', accessed 4/05/2022 <https://www.maitland.nsw.gov.au/play-explore/history-and-heritage/flooding-in-maitland>