



**21 Coxs Lane, 16 George Street and
10 Fullerton Cove Road, Fullerton**

STATEMENT OF HERITAGE IMPACT

PROPOSED URBAN DEVELOPMENT

CONTEMPORARY HERITAGE

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Statement of Heritage Impact

21 Cocks Lane, 16 George Street and 10 Fullerton Cove Road, Fullerton Cove

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1. INTRODUCTION

- a. Contemporary Heritage has been engaged to prepare a Statement of Heritage Impact for 21 Coxs Lane, 16 George Street and 10 Fullerton Cove Road, Fullerton Cove as summarised below:

Lot	DP	Address	Rezoning Proposed
991	627179	16 George Street, Fullerton Cove	RU2 Rural Landscape to R2 Low Density Residential & C2 Environmental Conservation
1	1142113	21 Coxs Lane, Fullerton Cove	RU2 Rural Landscape to R2 Low Density Residential & C2 Environmental Conservation
201	39968	21 Coxs Lane, Fullerton Cove	RU2 Rural Landscape to C2 Environmental Conservation
1910	557701	21 Coxs Lane, Fullerton Cove	RU2 Rural Landscape to R2 Low Density Residential
1	1006307	21 Coxs Lane, Fullerton Cove	RU2 Rural Landscape to R3 Medium Density Residential & C2 Environmental Conservation
3	111519	10 Fullerton Cove Road, Fullerton Cove	RU2 Rural Landscape to R2 Low Density Residential & C2 Environmental Conservation
1	794575	10 Fullerton Cove Road, Fullerton Cove	RU2 Rural Landscape to R2 Low Density Residential & C2 Environmental Conservation

- b. This report adopts the methodology outlined in the Guidelines for preparing a statement of heritage impact (prepared by Department of Planning and Environment, 2023.) It has been undertaken in accordance with the principles of the Burra Charter, 2013.
- c. The subject site is located at 21 Coxs Lane, 16 George Street and 10 Fullerton Cove Road, Fullerton Cove. The subject site is not within a Heritage Conservation Area but is in the vicinity of Heritage Item known as Stockton Beach Dune System, including Aboriginal site and shell middens, shipwrecks, WWII ramparts, tank traps, proofing range, rifle range and tin huts. Significance: Local. Item Number: I34
- d. This report was prepared by CONTEMPORARY HERITAGE.

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Figure 1 Site Masterplan
source SHAC



Figure 2 Site Masterplan with Heritage Overlay (Brown)
source NSW Planning Portal - Subject site shown outlined in green

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2. HISTORICAL CONTEXT

2.1 Port Stephens

Port Stephens was first observed by James Cook on May 11th, 1770, ¹in the Endeavour and was named The Bay after the Secretary of the Admiralty. The Bay was first entered in 1791 by the "Salamander", of the third fleet, and the surveyed by Charles Grimes in 1795².

Early history of Port Stephens describes the area as being a haven for convicts escaping from Sydney. With the convict increase and the continued growth of the area throughout the 1800s a garrison was established in 1820, which today is known as Soldiers Point³.

The following image is a historical map showing the Parish of Stowell in the County of Gloucester, dated 1922. The map shows early subdivisions of the area. The map also shows area of land being proposed for development for various infrastructure as well as drainage and water sourcing requirements.

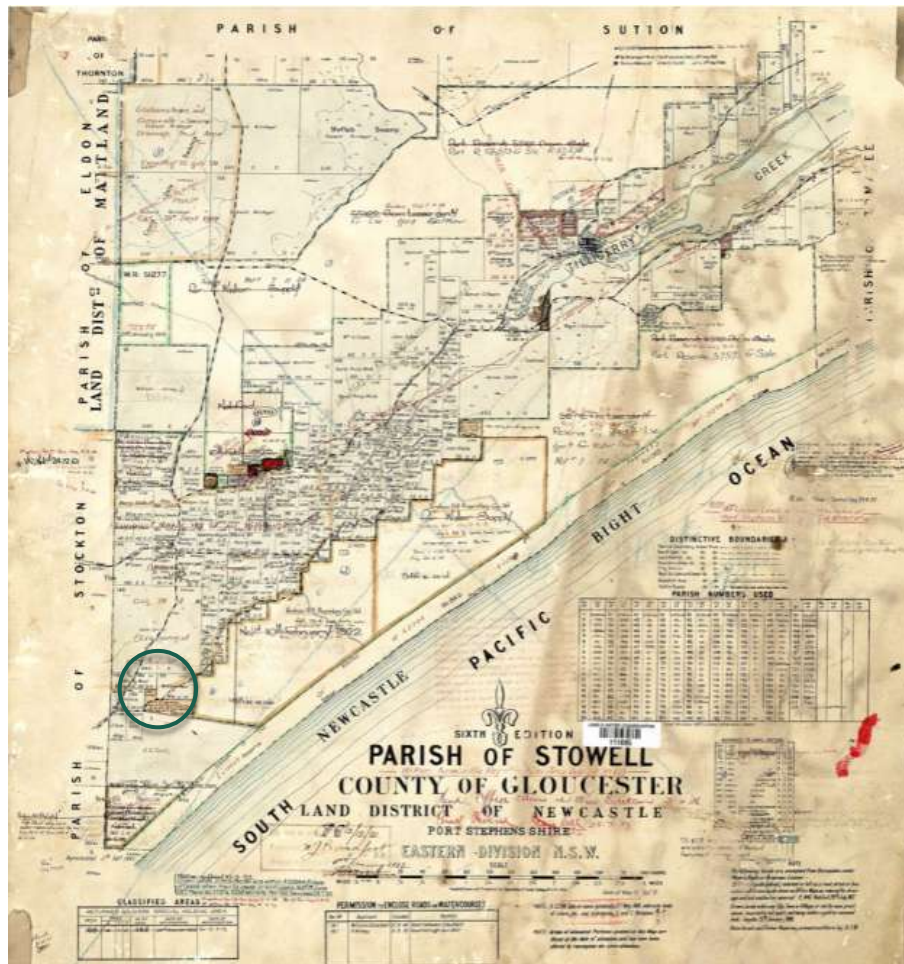


Figure 3 Historical Parish Maps. 1922
source HLRV

¹ Suters Architects & Planners, (1988).

² Port Stephens Australia, (n.d).

³ Port Stephens Australia, (n.d).

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The following image is a historic parish map of the area of Stowell. Dated 1937. In comparison to the earlier 1926 map above we can see there have been changes to land ownership infrastructure and Lot ownership and size.

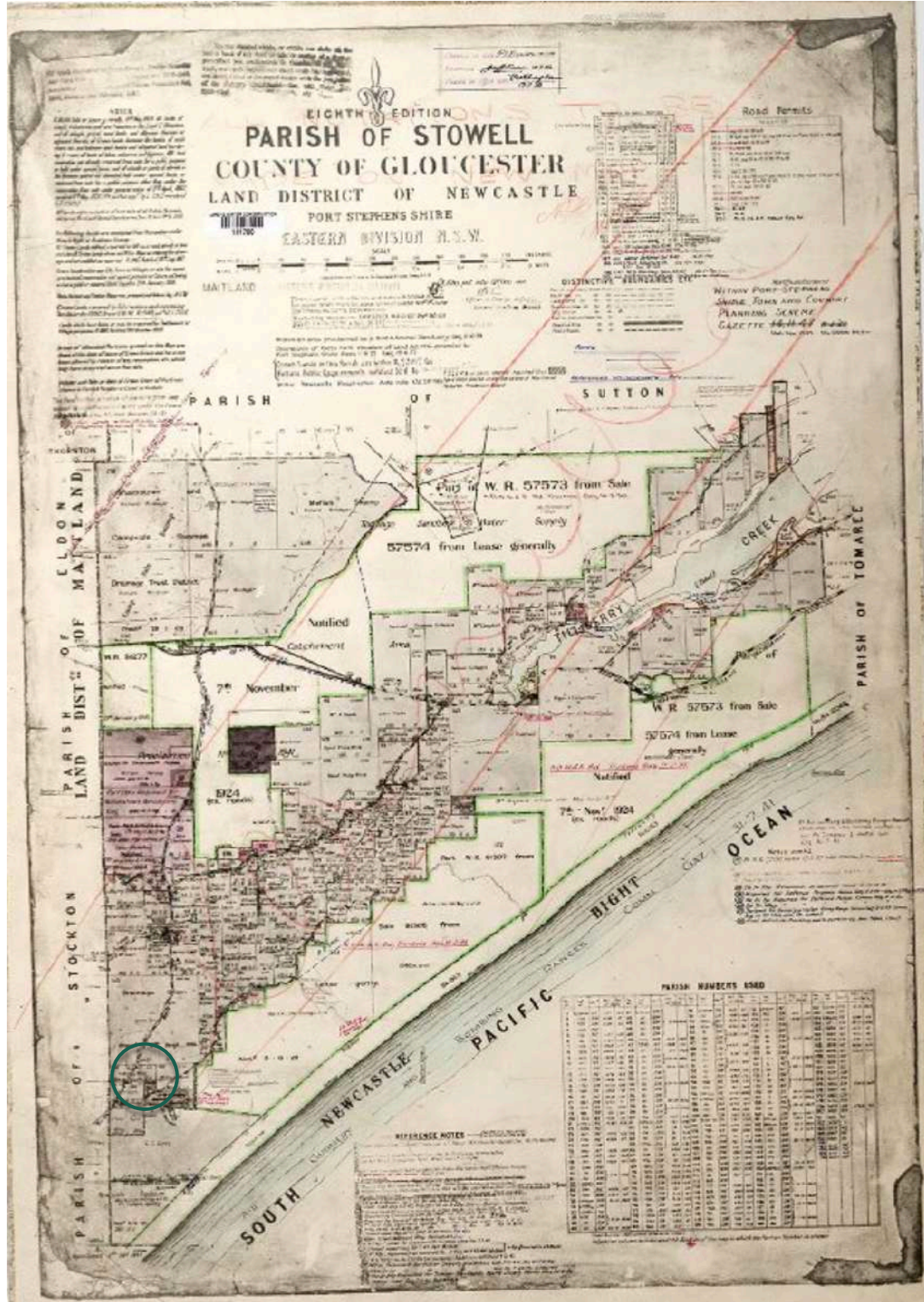


Figure 4 Historical Parish Maps. 1937.

source HLRV

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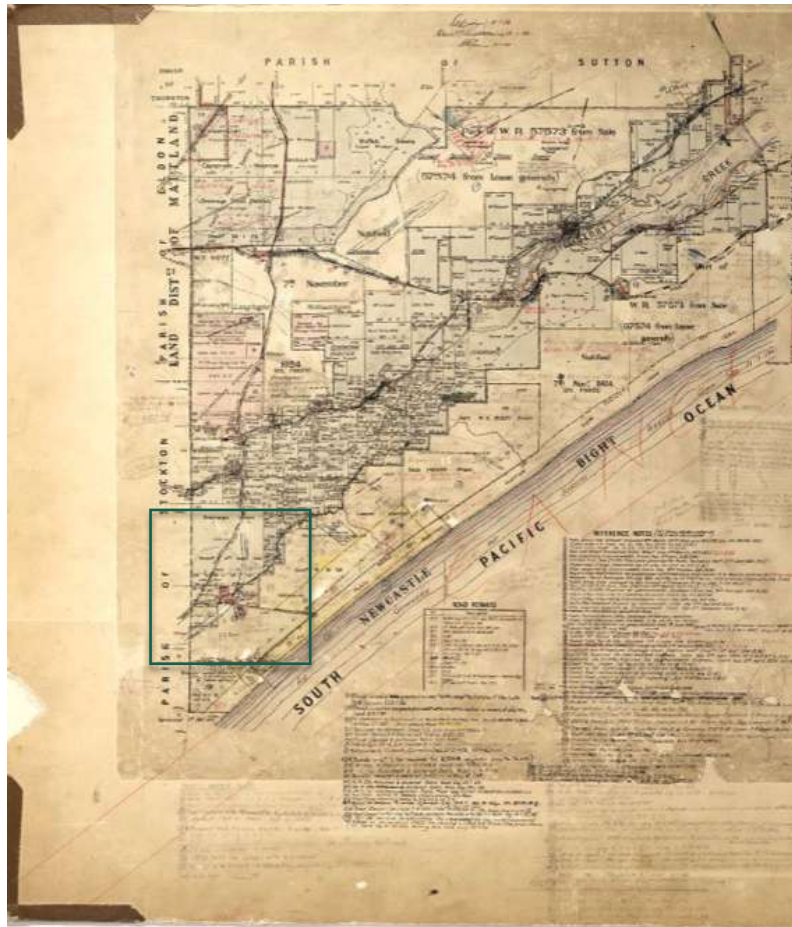


Figure 5 Historical Parish Maps. 1958.

source HLRV

The image below is a zoomed in extract of the subject area from the historical parish map dated 1958. In this map we can see the area is located south of a drainage site. We can also see a drawn road overlay showing the location of the now Nelson Bay Road or the B63

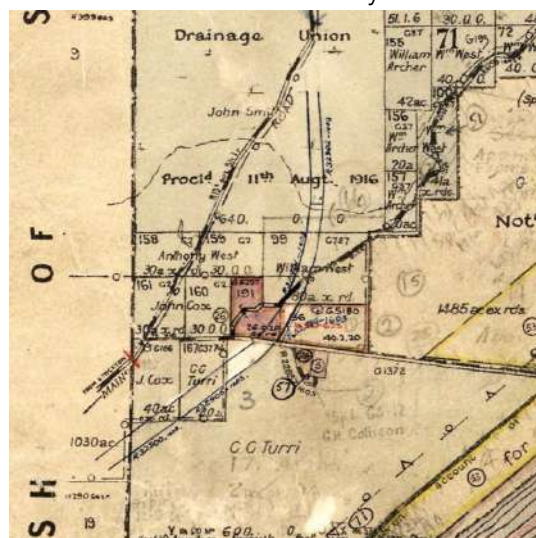


Figure 6 Historical Parish Maps. 1958.

source HLRV

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The following map is undated but, on this map, we can see Nelson Bay Road clearly marked as well as reference to Coxs Lane which runs adjacent to the site.

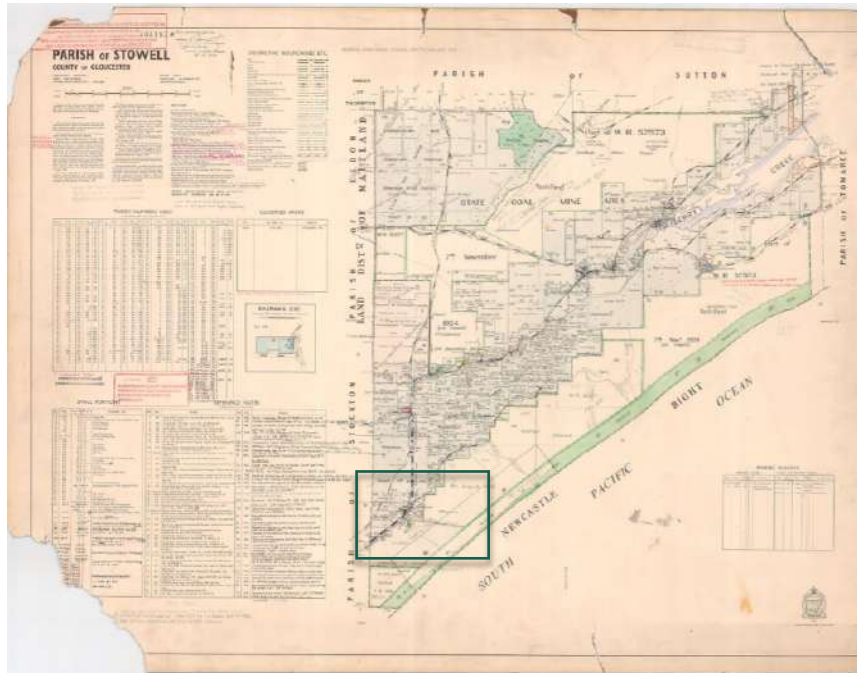


Figure 7 Historical Parish Maps. N.D.
source HLRV

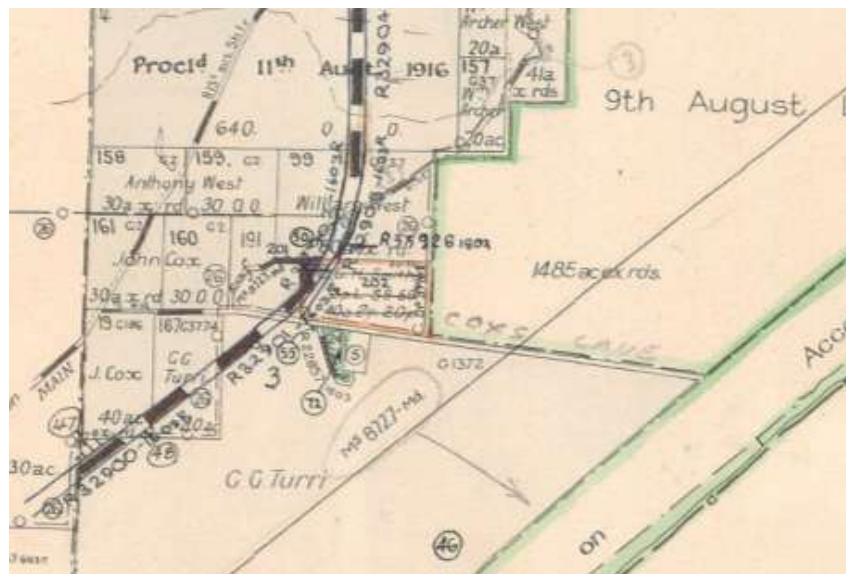


Figure 8 Historical Parish Maps. N.D.
source HLRV

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The following photographs show aerial views of the subject area taken in 1976.



Figure 9 Fullerton Cove. Hilder, William Keith
source Newcastle Libraries



Figure 10 Fullerton Cove. Hilder, William Keith. 19/06/1967
source Newcastle Libraries

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**2.2 Stockton Beach Dune System
including Aboriginal site and shell middens, shipwrecks, WWII ramparts, tank traps,
proofing range, rifle range**

Statement of Significance

The largest mobile dunes in coastal Australia containing evidence of former use and misuse, they represent a very important part of our heritage which should be protected and preserved.

SHR Criteria a) Historical Significance

Dune changes are an important indicator of weather variations over time and an open forum for evaluating the use of the environment

SHR Criteria b) Historical Association

Relics of past associations eg shell middens, tin huts, WWII fortifications including tank traps, barbed wire, observation posts, shipwrecks and aeroplane crash.

SHR Criteria c) Aesthetic Significance

Creates a great impression of the power of nature and the beauty of natural formations.

SHR Criteria e) Research Significance

Makes an important contribution to understanding the area's past.

SHR Criteria f) Rare Assessment

Said to be the largest mass of mobile dunes in coastal Australia.

SHR Criteria g) Representative Assessment

Very representative.

Integrity/Intactness

Intact but subject to overuse by vehicles

Physical Description

Sand formed by winds into undulating dunes sparsely covered by weeds and interspersed with shell middens, rock sections and remains of man-made structures. Most of the sand is fine. The dunes are 25kms in length.

Physical Condition and/or Archaeological Potential

Dunes are moving inland and thus increasing in size. They are covering trees and other vegetation but also unearthing evidence of previous habitation and use (middens, wartime observation posts etc).

History

Stockton Beach is a twenty mile arc of sand without a rock to break its surface until Morna Point. Because the beach faces in a generally southerly direction, it forms a dangerous lee shore for sailing ships, small steamships and even for the bulk carrier 'Sygna' wrecked there in 1974. At seventy and probably as many as 100 vessels were lost on Stockton Beach due to their inability

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to beat out of the bight. Early 19th century the ocean was 100 metres further out than it is now. There were no drifting sands but a woodland which bound the dunes together. Mid 19th century a series of severe weather cycles destroyed the frontal dunes which had been weakened by cattle grazing. Ever since, the dunes have increased inland pushed particularly by the southerly and westerly winds. They have moved inland about one metre per year.⁴

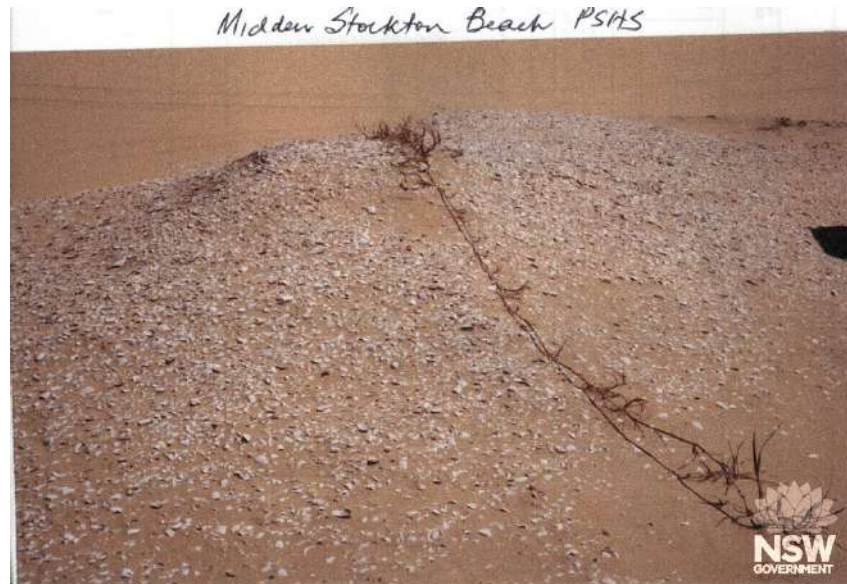


Figure 11 Coxs Lane, Stockton Bight & Nelson Bay, Stockton, NSW 2295
source State Heritage Inventory

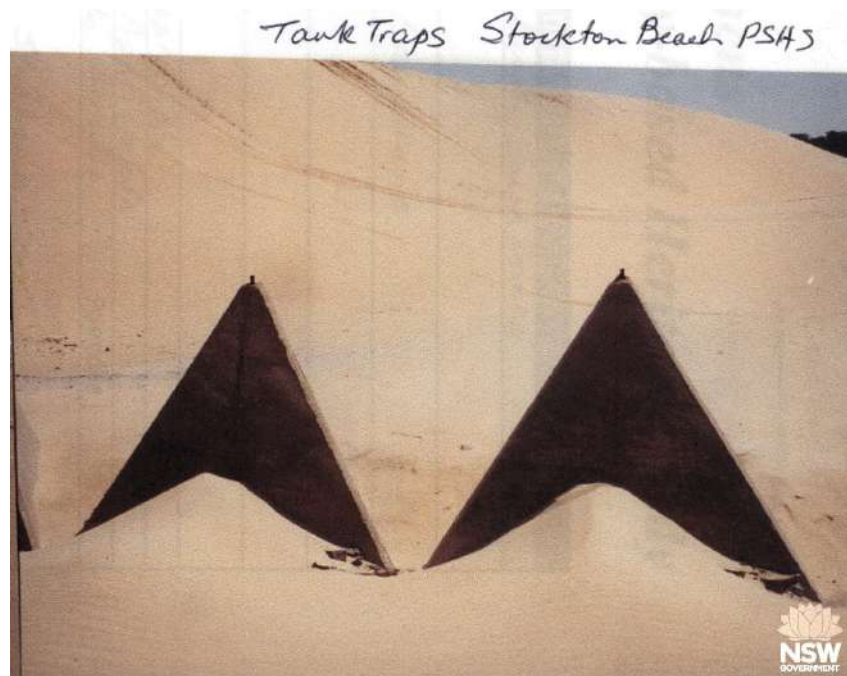


Figure 12 Coxs Lane, Stockton Bight & Nelson Bay, Stockton, NSW 2295
source State Heritage Inventory

⁴ State Heritage inventory, 2025.

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Figure 13 Coxs Lane, Stockton Bight & Nelson Bay, Stockton, NSW 2295

source State Heritage Inventory



Figure 14 Coxs Lane, Stockton Bight & Nelson Bay, Stockton, NSW 2295

source State Heritage Inventory

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3. PLANNING AND HERITAGE CONTEXT**3.1 Local Environmental Plan 2013**

The subject site is not a listed Heritage Item in Schedule 5 and is not within a Heritage Conservation Area however is within the vicinity of a heritage item of Local Significance:

Locality	Item name	Address	Property description	Significance	Item no
Port Stephens	Stockton Beach Dune System, including Aboriginal site and shell middens, ship wrecks, WWII ramparts, tank traps, proofing range, rifle range and tin huts	14 and 20A Popplewell Road, Fern Bay, 33, 35 and 37 Cocks Lane, Fullerton Cove, 27, 30, 32, 34, 40 and 42 Stockton Bight Track, Fullerton Cove, 3006 Nelson Bay Road, Salt Ash and 4080A Nelson Bay Road, Bobs Farm	Lots 5 and 4, DP 233358; Lot 226, DP 1097995; Lot 216, DP 1044608; Lot 224 DP, 1097995; Lot 227, Lot 230 and Lot 225, DP 1097995; unnumbered lot, DP 753192; Lot 218, DP 1044608; Lot 229, DP 1097995; Lot 592, DP 1097992; Lot 7033, DP 1053720	Local	134

The following is an extract from Local Environmental Plan 2013 that is relevant to this proposal:

5.10 Heritage conservation

(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 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—*

(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.

In compliance with Clause 5(c) a Statement of Heritage Impact has been prepared to assess the impact that the proposed development will have on the Heritage Item in the vicinity.

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3.2 Development Control Plan – Port Stephens 2013*The following is an extract from Port Stephens Council Development Control Plan 2013.*

- B7.1 Development under LEP clause 5.10 that is likely to impact on the heritage significance of a heritage item provides a heritage impact statement with the development application that is consistent with the Office of Environment & Heritage, N/A, 'Statements of Heritage Impact'19
- The heritage impact statement demonstrates how the proposed development conserves and mitigates for the protection of the identified heritage significance, based on the following principles:
 - development is consistent with the statement of heritage significance for that item
 - development protects the setting of the heritage item
 - development retains the significant internal and external spaces and is to recycle, re-purpose and re-use fabric and building elements
 - development avoids facadism by using all of the components of the building including, but not limited to, the structure, floor, roof, floor and wall framing, fittings and finishes, fabric and materials - development removes alterations and additions that are unsympathetic to the heritage significance of the heritage item
 - reinstates missing building elements and details - uses materials, finishes and colours that are appropriate to the architecture and stylistic period of the heritage item
 - reinforces the dimensions, pattern, scale and style of the original windows, door openings and features of the heritage item
 - maintains and repairs building elements in order to retain the heritage item in a serviceable condition commensurate with the statement of heritage significance
 - reference to the Heritage Act 1977 is required where highly significant archaeological items and relics are discovered and there is likely to be disturbance, damage or an item destroyed by excavation
 - The preparation of heritage reports is to be undertaken by a suitably qualified consultant who has experience in heritage conservation matters and is registered on the NSW Office of Environment and Heritage Consultants Directory.
- Development Control Plan Port Stephens Council 48 Development controls
- B7.2 Development under LEP clause 5.10 that is likely to impact on the heritage significance of a heritage conservation area is to demonstrate how it is complementary to the statement of heritage significance for the heritage conservation area within the SEE
- B7.4 Development that proposes the partial or total demolition of a heritage item or item within a heritage conservation area for reasons of structural integrity is supported by a structural engineering assessment. An archival record may be required in accordance with the relevant Heritage Branch Guidelines

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4. PHYSICAL DESCRIPTION**4.1 Context**

- a. The masterplan site consists generally of 21 Coxs Lane, 16 George Street and 10 Fullerton Cove Road, accessed via Coxs Lane,.
- b. The subject sites are vacant.
- c. The topography of the site is varied with the boundaries of the site being at an elevated height. The central area of the site is considerably lower than the residential buildings along George Street, and Cox's Lane. As well as also being considerably lower than Nelson Road which runs in a northerly to southerly direction along the eastern boundary of the two sites.

The following maps show an aerial view of the subject site and serve as a Key Plan to the numbered photographs that follow.

Map A

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Map B



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4.2 Views

Please refer to the above maps as key plans for the images provided below.



MAP A/01



MAP A/02



MAP A/03



MAP A/04



MAP A/05



MAP A/06

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MAP A/07	MAP A/08
	
MAP A/09	MAP A/10
	
MAP A/11	MAP A/12

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MAP A/13	MAP A/14
	
MAP A/15	MAP A/16
	
MAP A/17	MAP A/18

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MAP A/19	MAP B/20
	
MAP B /21	MAP B /22
	
MAP B /23	MAP B /24

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MAP B /25	MAP B /26
	
MAP B /27	MAP B /28
	
MAP B /29	MAP B /30

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MAP B /31	MAP B /32
	
MAP B /33	MAP B /34
	
MAP B /35	MAP B /36

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MAP B /37	MAP B /38
	
MAP B /39	MAP B /40
	
MAP B /41	MAP A /42

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MAP A /43	MAP A /44
	
MAP A /45	MAP A /46
	
MAP A /47	MAP A /48

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MAP A /49



MAP A /50



MAP A /51



MAP A /52



MAP A /53



MAP A /54

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MAP A /55	MAP A /56
	
MAP A /57	MAP A /58
	
MAP A /59	MAP A /60

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MAP A /61	MAP A /62
	
MAP A /63	MAP A /64
	
MAP A /65	MAP A /66

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MAP A /67



MAP A /68

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5. THE PROPOSAL**5.1 Introduction**

- a. The proposal forms part of an Urban Design Masterplan for a new residential development at Fullerton Cove, The Sandpiper.
- b. The masterplan occupies land to the north of Coxs Lane and generally accommodates the following:
 - 300 Medium Density Residential Units
 - 125 Low Density Townhouses
 - 92 Low Density Residential Units
- c. Substantial areas of extant mature bushland shall be retained, particularly along the eastern boundary of the site and adjacent Nelson Bay Road as well as across the lots that form 10 Fullerton Cove Road.
- d. 21 Coxs Lane, 16 George Street and 10 Fullerton Road are presently vacant with some large lot residential and rural landscape land between 21 Coxs Lane and Fullerton Cove Road to the west.

5.2 Documents

This statement was prepared in conjunction with the Planning Proposal drawings.

Documents reviewed in preparation of this Heritage Impact Statement were prepared by SHAC:

Page No	Description	Issue	Date
01	Cover Sheet	Rev A	04/09/25
02	Acknowledgement of Country		
03	Summary of Revisions		
04	Designing		
05	Staged Masterplan	Rev B	17/11/25

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Figure 15 Staged Masterplan
source SHAC

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6. ASSESSMENT OF IMPACT**6.1 Identification of Impacts**

- a. Potential impacts arising from the proposed development include:
 - impact on the significance of the Heritage Item in the vicinity
- b. This Statement of Heritage Impact analyses the extent of these potential impacts and the measures taken to mitigate any negative impacts. The assessment of impact is based on the known heritage significance of the sites and the policies and guidelines of the relevant planning instruments within the Port Stephens LEP.

6.2 Assessment of Impacts

- a. The proposed development is at master-planning level, and as such further assessment may be required for later, more detailed design if there is the potential for impact upon the heritage item in the vicinity being the Stockton Dune System.
- b. The Stockton Dune System is significant as the largest mobile dune system in coastal Australia and should be protected.
- c. The historical significance of the item shall not be impacted by the proposed development. Whilst of a considerable scale, the proposed new residential development will not impact on the dunes themselves or disturb their significance as an indicator of weather variation over time.
- d. The historical association with relics of the past, including shell middens, tin huts and various WWII fortifications shall not be impacted by the proposal.
- e. The Heritage Item is of aesthetic significance as a natural feature. This shall not be disturbed or diminished as a result of the proposal. Further views analysis should accompany detailed design of any mid-high rise elements of the proposal to ensure that any potential impact on the wider views and setting of the dune system are appropriately managed.
- f. The research significance of the Heritage Item shall not be impacted by the proposed development which shall retain its capacity to make a contribution to understanding the area's past.
- g. The rarity and representativeness of the Heritage Item shall not be affected.
- h. The proposal could result in an increase in use as a result of an increase in the local population and this could result in negative impacts to its integrity and intactness. It is not considered appropriate or necessary to impose any mitigation measures on the proponent in this instance as effectiveness of any mitigation measures would be particularly limited. Whilst these potential impacts should not be dismissed, they are indirect impacts most suitably managed through the items Heritage Management Plan or Conservation Management Plan.
- i. The formation of the dunes by wind and tide alters over time and across its 25km length. Whilst the proposed residential development is of a substantial scale, there is a separation between the eastern boundary of the proposal and the nearest point of the Heritage Item

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that is in excess of 500m. This buffer, which includes Nelson Bay Road, also accommodates considerable and varied vegetation that will mitigate impacts to negligible levels.

- j. Whilst dunes are generally blown inland, at a rate of approximately 1m per year, their size and spread are limited by Nelson Bay Road. It is not considered that the proposed development will restrict the potential growth of the dune system to a degree that would diminish significance.
- k. The siting of the proposal is well considered, using existing arterial infrastructure and vegetation as a buffer between the proposal and the Heritage Item.
- l. The scale of the proposal will be varied, and whilst some taller buildings are proposed to support medium density residential development, these represent a small percentage of the overall masterplan. Existing vegetation, combined with physical separation is likely to prevent any views between the proposed development and the Heritage Item at ground level. Views between the moving ridgelines of the item and upper levels of the proposal are likely, however the impact of this is negligible. The overall context and setting of the item shall not be negatively impacted to the extent that significance is diminished.
- m. The massing of the proposal enables higher densities to occupy position further towards the west of the site, using lower scale development as a buffer with lower density and increased vegetation with proximity to site boundaries and with proximity to the Heritage Item.
- n. The proposal demonstrates a thorough and comprehensive approach to master-planning, with deep integration of primary environmental factors, including site and contextual history generally as well as with more specific consideration of the Heritage Item in the vicinity which is of Local significance.
- o. The significance of the Heritage Item shall not be diminished as a result of the proposed development as a broad level.
- p. The degree of change is major as defined by the site boundaries of the development though the degree of change is reduced proportional to distance from the site. As the Heritage Item is approximately 25km in length and over 500m away from the site at its nearest point, the degree of change relative to the Heritage Item is negligible.
- q. The magnitude of impact is similarly varied and reduced with distance from the site. In summary, the proposal is of little to no adverse impact as the impact on the significance of the heritage item is negligible.
- r. There are potential indirect negative impacts considered to be best managed through heritage management documentation for the site of the Item itself. Conversely, there are potential positive impacts as the proposal has the potential to enhance the ability to demonstrate the heritage significance of the item through increased visibility, use and management including potential for interpretation measures and a wider provision of facilities that encourage positive interaction and understanding of the significance of the item.

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7. RECOMMENDATIONS AND CONCLUSIONS

The following conclusions are made based on the assessment of heritage impact:

- a. The proposal will enable the provision of additional residential accommodation between Newcastle and Port Stephens with little to no impact on the significance of the Heritage Item.
- b. The proposal is sited on land that has been largely disturbed in the past.
- c. The following recommendations are made:
 - Further views analysis should accompany detailed design of any mid-high rise elements of the proposal to ensure that any potential impact on the wider views and setting of the dune system are appropriately managed.
 - It is not considered necessary to provide any particular additional mitigative measures at this stage however more detailed design stages may necessitate the implementation of further heritage impact assessments and corresponding recommendations or mitigation measures.
- d. Full materials and finishes schedules should be provided for consideration within any future detailed design assessments.
- e. The final assessment is that, based on the considerations within this Statement of Heritage Impact, the proposal should be supported in principal.



Jason Penhall
CONTEMPORARY HERITAGE



Jadine Penhall

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