



Conservation Management Plan

prepared for

Simon and Brenda Tripp

Fernhill
Mulgoa Road, Mulgoa NSW

July 2014
(Endorsement edition 3
submitted with IDA)

Contents

1	Introduction	1
1.1	Brief.....	1
1.2	Site Location	2
1.3	Methodology	3
1.4	Limitations	3
1.5	Author Identification and Acknowledgments	3
1.6	Distribution, Monitoring and Review	4
2	History	5
2.1	Aboriginal History	5
2.2	Mulgoa Valley	6
2.3	Cox Family	7
2.4	Fernhill Estate	14
2.5	Property Owners	65
2.6	Landscape Design in the 19 th Century	65
2.7	Chronology and Key Dates	67
2.8	Historical Themes	72
3	Site Description	74
3.1	Site Ownership	74
3.2	Natural Environment	75
3.2.1	Geology and soils	75
3.2.2	Topography	76
3.2.3	Landform and Vegetation	76
3.3	Built Environment	79
3.3.1	Former Stables (1839)	79
3.3.2	House (1842)	81
3.3.3	Other Buildings	104
3.3.4	Walls, Fences, Bridges and Quarries	107
3.3.5	Access and Driveways	109
3.4	Cultural Landscape	111
3.4.1	House Garden - Precinct 1	113
3.4.2	West and North of House Garden - Precinct 2	120
3.4.3	South of the Southern Driveway - Precinct 3	124
3.4.4	East of House - Precinct 4	125
3.4.5	North of House and Northern Driveway - Precinct 5	129
3.4.6	Western Portion of Fernhill Estate - Precinct 6	131
3.4.7	Eastern Portion of Fernhill Estate - Precinct 7	132
3.4.8	The Extended Estate	133
3.4.9	South-Eastern land fronting Mulgoa Road - Precinct 8	134
3.4.10	Northern land fronting Mayfair Road - Precinct 9	136
3.4.11	Western land fronting Nepean Gorge Drive Road - Precinct 10	137
3.4.12	Analysis of Landscape and Site Changes since 1947	139
3.4.13	Views and Vistas	141
3.5	Surrounding Area	154

3.5.1	Mulgoa Township	154
3.5.2	St Thomas' Church	156
3.5.3	Cox's Cottage	156
3.5.4	Fairlight	157
4	Significance and Listings.....	159
4.1	Significance Assessment	159
4.2	Statement of Significance	163
4.3	Gradings of Significance	164
4.4	Heritage Listings	179
5	Issues, Opportunities and Constraints	183
5.1	Statutory Controls, Policies and Guidelines	183
5.1.1	Commonwealth Legislation	183
5.1.2	State Legislation	183
5.1.3	Commonwealth and State Policies	185
5.1.4	Guidelines	186
5.1.5	Local Government Policies	186
5.2	Conserving the Natural Environment	198
5.3	Managing the Cultural Landscape	199
5.3.1	Character and Integrity	199
5.3.2	Fernhill Grounds and Cultural Plantings	200
5.3.3	Precinct 1 – The House Garden	201
5.3.4	Precinct 2 – North and North-west of the House Garden	202
5.3.5	Precinct 3 – South of the Southern Driveway	202
5.3.6	Precinct 4 – East of the House	202
5.3.7	Precinct 5 – North of House and Northern Driveway	203
5.3.8	Precinct 6 – Western Hill area behind the House	203
5.3.9	Precinct 7 – Eastern Portion of the Estate	203
5.3.10	Precinct 8 – The Extended Estate	204
5.3.11	Bushfire Management	204
5.3.12	Views and Vistas	204
5.4	Managing the Built Environment	205
5.4.1	Stables (1839) and House (1842)	205
5.4.2	Other Buildings	209
5.4.3	Walls, Fences, Bridges and Quarries	209
5.4.4	Access and Driveways	210
5.4.5	Services and Infrastructure	210
5.4.6	New Buildings and Structures	211
5.4.7	Subdivision	211
5.5	Managing the Archaeological Resource and Aboriginal Heritage	212
5.6	Managing Use	214
5.7	Interpretation	231
5.8	Further Research and Investigations	231
6	Conservation Policies	233
6.1	Compliance with Statutory Controls and Guidelines	235
6.2	Conserving the Natural Environment	236
6.3	Managing the Cultural Landscape	237

6.3.1	Character and Integrity	237
6.3.2	Cultural Plantings.....	239
6.3.3	Managing the Cultural Landscape setting of Fernhill.....	240
	Precinct 1 – The House Garden	240
	Precinct 2 – North and North-west of the House Garden	241
	Precinct 3 – South of the Southern Driveway.....	242
	Precinct 4 – East of the House	242
	Precinct 5 – North of House and Northern Driveway.....	243
	Precinct 6 – Western Hill area behind the House.....	243
	Precinct 7 – Eastern Portion of the Estate.....	243
	Precincts 8, 9 and 10 – The Extended Estate	244
6.3.4	Views and Vistas.....	244
6.4	Managing the Built Environment	245
6.4.1	House (1842) and Stables (1839).....	245
6.4.2	Other Buildings	247
6.4.3	Walls, Fences, Bridges and Quarries	247
6.4.4	Access and Driveways.....	247
6.4.5	Services and Infrastructure	247
6.4.6	New Buildings or Development.....	248
6.4.7	Subdivision and Potential Development on Peripheral Lands	249
6.4.8	Bushfire Management.....	250
6.5	Managing the Archaeological Resource and Aboriginal Heritage.....	250
6.6	Managing Use.....	251
	<u>Rural Uses</u>	252
6.7	Interpretation.....	255
6.8	Further Research and Investigations	255
APPENDICES		
APPENDIX A	DEFINITIONS	
APPENDIX B	SITE IDENTIFICATION PLANS	
APPENDIX C	MAINTENANCE PLAN	

FIGURES:

Figure 1: Map showing location of Fernhill within the Sydney region Source: Google maps	2
Figure 2: Edward Cox's land grant indicated by arrow with southern boundary being Littlefield's Creek Source: NSW Department of Lands 2010b, Parish Map of Mulgoa, Image No. 14066701	9
Figure 3: Looking east towards St Thomas' Church. This view appears to be from Mulgoa Road with the first rectory to the left of the photo. The sketch provides an indication of the extent of clearing and the open character of the landscape at that time; [Source: National Library of Australia, Image No. nla.pic-an8421802]	11
Figure 4: Edward Cox (1805 – 1868), youngest son of William Cox	13
Figure 5: Edward King Cox (1829-1883), eldest son of Edward Cox	13
Figure 6: Sketch of Fernhill, mid 19th century Source: Mitchell Library, Valerie Cox Papers.....	19
Figure 7: Extent of Fernhill Estate, c. 1868 Source: Land and Property Information, Old System Deed Book 106, No. 703	20
Figure 8: Fernhill landscape and stables, 1906 Source: Arthur Wigram Allen, Photographic Collection, Mitchell Library, Vol. 36, pp.39-40 PX* D578	21
Figure 9: An early photo of the stables, note the narrow verandah on bush posts and the timber enclosure of part of the verandah, also note the hay loft in the gable end. Source: Arthur Wigram Allen, Photographic Collection, Mitchell Library, Vol. 36, pp.39-40 PX* D578	22

Figure 10: Survey of Fernhill Estate, 1906 Prepared by Surveyor J.H. Cardew on 1 December 1906 for the purpose of bringing the land under the provisions of the Real Property Act; Plan shows Littlefield's and Mulgoa Creek lines, and the outline of the house, stable and surrounding fence lines.....	22
Figure 11: Map of Mulgoa District overlaid with current heritage listing boundaries. The map highlights the extent of residential and small farm subdivision following the inauguration of the irrigation scheme; Source of base map: Mitchell Library, Chief Electoral Office.	23
Figure 12: Porte-cochere at Fernhill, 1906 Photograph shows Baynes and his ten year old son George at the porte-cochere.....	24
Figure 13: Plan of Fernhill south wall and verandah, 1919 Source: National Library of Australia, Picture No. nla.pic-an2815617	25
Figure 14: Fernhill, note the gravelled edge, the mature Hoop Pine above the house and the Bunya Pine to the right at this time. 1920 Source: Perier Collection, State Library of NSW	26
Figure 15: Fernhill, late 1920s. The porte-cochere has altered since the earlier photo as the gable and upper structure is here clad in AC sheet with battens, indicating the earlier detailed timber structure was failing. Note the cabbage tree palm (<i>Livistona australis</i>) in the carriage loop. Source: Private Collection.....	27
Figure 16: Fernhill, 1938 Celebrating the centenary of St. Thomas' Church of England; Source: Penrith City Council 2010b.....	28
Figure 17: Detail of garden area around house Source: Land and Property Management Authority 1947	28
Figure 18: Fernhill aerial view, 1947 Fernhill Estate (above) showing original alignment of Mulgoa Road and relationship to St Thomas' Church and Cox's Cottage	29
Figure 19: Watercolour of kitchen interior, c. 1930s	29
Figure 20: Photograph of kitchen interior, c. 1950s	29
Figure 21: Photograph of Fernhill in the 1950s is of western area of the rear courtyard, which was later redeveloped; Source: Private Collection	30
Figure 22: Plan of alterations to west wings of house. The work included adding an en-suite bathroom and hall to the east bedrooms, internal alterations to the south rear wing, adding a bathroom to the north rear wing and removing an external laundry addition, 1958. Source: PTW Architects, Drawing No. 5527/7	31
Figure 23: Plan of the ground floor of Fernhill c. 1960 prior to internal alterations and additions. Note the separate toilet wing at the rear, the layout of rooms that was later changed significantly in the rear and service areas and the dotted form of the new bathroom and hallway wing behind the main bedroom.....	34
Figure 24: Plan of the basement of Fernhill c. 1960 showing location of water reservoir and coal chute, prior to alterations.	34
Figure 25: East elevation of house with porte-cochere	35
Figure 26: West elevation of the separate cess pit structure (now removed)	35
Figure 27: West elevation before extension to south wing	35
Figure 28: North elevation of house.....	35
Figure 29: Verandah on north elevation.....	35
Figure 30: South elevation of house	35
Figure 31: Detail of verandah on south elevation	36
Figure 32: North side of internal courtyard.....	36
Figure 33: Galvanised iron roof, view from north-west	36
Figure 34: One of the two stone bridges.....	36
Figure 35: Reflecting pond along driveway showing house (prior to construction of retaining wall and planting of further vegetation in late 20 th century)	36
Figure 36: Detail of stone stair to kitchen cellar	36
Figure 37: Sketch of East (above) and North (below) elevation of house.....	37
Figure 38: Sketch of West (above) and South (below) elevation of house	37
Figure 39: Details of columns on north elevation (left), in central courtyard (centre) and detail of skirting (right)	37
Figure 40: Detail of columns on south elevation	37
Figure 41: Fernhill aerial view, 1961 House and two driveways to Mulgoa Road (top right); Littlefields Creek (bottom of photo lined with trees)	38

Figure 42: Driveway alignment (tree lined) top left of image, showing relationship between Church and Cox's Cottage	39
Figure 43: Detail of garden area around house Source: Land and Property Management Authority 1961	39
Figure 44: Fernhill, 1961 Source: National Archives of Australia, Image No. A1200:L39776.....	40
Figure 45: Fernhill, 1961 Source: National Archives of Australia, Image No. A1200, L39792.....	40
Figure 46: Chicken hatchery at Fernhill, c.1961. This building and the associated feed stores were erected for John Darling in the late 1950s; they have since been demolished and the area was redeveloped; Source: Private Collection	41
Figure 47: Sorensen's garden design for Fernhill Source: Radcliffe 1990:95.....	43
Figure 48: Fernhill aerial view, 1970. Source: Land and Property Management Authority 1970.....	45
Figure 49: Detail of garden area around house. Large trees are clearly visible north of and close to the house. Source: Land and Property Management Authority 1970	46
Figure 50: Fernhill, 1972. Eastern elevation of house. Note the circular driveway and porte-cochere have been removed; Source: Cox 1972:131.....	47
Figure 51: South elevation of house; Source: Cox 1972:133	47
Figure 52: West elevation of house and garden; Source: Cox 1972:137	48
Figure 53: Interior of Sitting Room; Source: Cox 1972:135	48
Figure 54: Main Entrance Hall; Source: Cox 1972:139.....	49
Figure 55: Rear Courtyard; Source: Cox 1972:136	49
Figure 56: Fernhill, 1975 South Elevation of house showing the porte-cochere removed; Source: Roxburgh 1975:244.....	49
Figure 57: Detail of verandah on south elevation; [Source: Roxburgh 1975:247]	50
Figure 58: Entrance Hall; Source: Roxburgh 1975:246	50
Figure 59: Ballroom; Source: Roxburgh 1975:248.....	51
Figure 60: Cellars in basement (B02 looking through to B01); [Source: Roxburgh 1975:245]	51
Figure 61: Ground floor plan of house; Source: Roxburgh 1975:249	52
Figure 62: Internal joinery detail of house; Source: Roxburgh 1975:251	52
Figure 63: Wall joinery detail; Source: Roxburgh 1975:249.....	53
Figure 64: Window joinery detail; Source: Roxburgh 1975:249.....	53
Figure 65: Front door joinery of interior Source: Roxburgh 1975:250.....	53
Figure 66: Front door joinery of interior Source: Roxburgh 1975:250.....	53
Figure 67: Detail of internal joinery Source: Roxburgh 1975:251	54
Figure 68: Detail of internal joinery Source: Roxburgh 1975:251	54
Figure 69: Aerial photograph of Fernhill Estate, 1979. Fernhill Estate showing relationship between Church and Cox's Cottage; Littlefield's Creek (treed lined at bottom of photo)	54
Figure 70: Aerial photograph of Fernhill Estate, 1979. Detail of garden area around house. Note the increase in larger trees particularly north of the house.	55
Figure 71: Aerial of Fernhill Estate, 1986.....	57
Figure 72: Aerial of Fernhill Estate, 1986 Detail of garden area around house; Source: Land and Property Management Authority 1986	58
Figure 73: Aerial of Fernhill house and garden, 1994 Source: Land and Property Management Authority 1994.....	59
Figure 74: Aerial of Fernhill, 1998 Source: Land and Property Management Authority 1998.....	61
Figure 75: Fernhill Estate, c. 2000 View of eastern elevation of house, beyond which is the c. 1839 stables (back left) and 1980s farm building (back right); the swimming pool is set below the balustrade and is screened from the house by trees; the disused tennis court is surrounded by hedges and Sorensen's curved driveway and tree plantings are visible (far back left).....	62
Figure 76: Fernhill Estate, c. 2000 View of southern elevation of house	62
Figure 77: Fernhill Estate, c. 2000 Stables complex and race track (left), designed and built by the Andersons in early 1980s (looking south).....	62
Figure 78: Fernhill Estate, c. 2000 Pond and sandstone wall (foreground) and 1980s stables complex (background) (looking north)	62
Figure 79: Terraced garden west of house, designed by Sorensen (looking north)	62

Figure 80 : Rose Garden, designed by Sorensen (looking south)	62
Figure 81: Aerial view of house looking east towards Mulgoa	63
Figure 82: Reflecting pond, designed by Sorensen; timber bridge and summerhouse (apparently) designed by the Andersons and brought from England (looking south)	63
Figure 83: G04, Ballroom (looking south towards garden); curtains and other decorations by Barry Burn; French fabric on walls.....	63
Figure 84: G03, Drawing Room (looking south towards garden).....	64
Figure 85: G02, Second Entry Hall (looking east towards front door).....	64
Figure 86: G12, Master Bedroom, originally 2 bedrooms (looking north)	64
Figure 87: G07, Kitchen, formerly 3 servants rooms (looking west)	64
Figure 88: Aerial photograph of current area of Fernhill estate with estate boundary outlined in red Source: Google Maps 2013	74
Figure 89: Site Plan showing the whole of the land currently forming the Fernhill Estate, with lots marked.	75
Figure 90: Extract from LEP 2010 showing heritage listed lands on and around Fernhill Estate. Fairlight can be seen in the lower left corner and St Thomas Church site and Cox's Cottage lands can be seen on the far right of the illustration.	75
Figure 91: Fernhill's landscape precincts or areas.	77
Figure 92: Vegetation communities on Fernhill. Source: Ecological Australia 2010:19.....	78
Figure 93: Former Stables Building, east elevation, looking south. Paul Davies 2013.....	80
Figure 94: Verandah on west elevation, looking south. Paul Davies 2013	80
Figure 95: Horse stalls at northern end of stables, looking west. Paul Davies 2013	80
Figure 96: Joinery in central section of stables; new sandstone floor. Paul Davies 2013	81
Figure 97: One of several rooms at the southern end of the stables that are used for accommodation including a kitchen.	81
Figure 98: East elevation of the house; original entry to house where carriage loop was located; climbing rose growing on the façade. Paul Davies 2013.....	83
Figure 99: South elevation of the house. Paul Davies 2013.....	83
Figure 100: West elevation of the house. Paul Davies 2013.....	84
Figure 101: North elevation of the house. Paul Davies 2013.....	84
Figure 102: Date of construction above the door lintel, east elevation, 1842. Paul Davies 2013.....	85
Figure 103: Detail of stone verandah. Paul Davies 2013.....	85
Figure 104: Detail of stone verandah. Paul Davies 2013.....	85
Figure 105: North elevation of laundry extension on south wing (1980s). Paul Davies 2013.....	85
Figure 106: Current configuration and rooms number for house: Davies 2005.....	87
Figure 107: Main Entry (G01), looking north. Paul Davies 2014.....	88
Figure 108: Hall (G02), looking east towards Main Entry (left) and door to Drawing Room. Paul Davies 2014 (right)	88
Figure 109: One of the windows on the east side of the room. Paul Davies 2014	89
Figure 110: Black marble chimneypiece on west side of the room. Paul Davies 2014.....	89
Figure 111: One of the windows off the southern bay colonnade. Paul Davies 2014.....	89
Figure 112: Gilding decoration on the ceiling. Paul Davies 2014	89
Figure 113: Dining Room overview. Paul Davies 2014.....	90
Figure 114: Grey marble chimneypiece. Paul Davies 2014.....	90
Figure 115: Kitchen, looking west. Paul Davies 2014.....	91
Figure 116: Laundry, looking west.....	91
Figure 117: Western wall; central fireplace and northern door to ensuite.....	92
Figure 118: One of the windows on the east wall	92
Figure 119: Hallway (G05), looking south; niche on western wall. Paul Davies 2014.	93
Figure 120: Hallway (G13), looking south towards entry hall (G02) with door to original master bedroom (far left). Paul Davies 2014.	93
Figure 121: Door to en-suite from master bedroom, looking west; originally this part of the master bedroom	

was a separate room	94
Figure 122: External view of en-suite extension (lower roof) on the north elevation of the house; the taller roof to the left is that of the master bedroom. Paul Davies 2014.	94
Figure 123: Former girl's bedroom with new built-in cupboards, looking south (G16).....	94
Figure 124: Chimneypiece in former nurse's bedroom, looking west (G17)	94
Figure 125: Bedroom (G21), looking north-west.....	95
Figure 126: Bathroom (G23), looking north; originally part of bedroom with fireplace in location of bathtub.....	95
Figure 127: Hallway (G24), altered in the 1980s, looking north towards (G26) and door to bedroom (G27)	96
Figure 128: Bedroom (G28).....	96
Figure 129: External door to bedroom (G31) with brick courses above sandstone wall to south and west wall under verandah. Paul Davies 2013.	97
Figure 130: Living room/office (G29), which was substantially altered by the current owner in the 1980s, looking north-west. Paul Davies 2014.	97
Figure 131: External stair to basement, looking east towards en-suite extension . Paul Davies 2013.....	98
Figure 132: External stair and stone archway to basement, looking west. Paul Davies 2013.....	98
Figure 133: Internal courtyard, looking east towards dining room. Paul Davies 2013.	98
Figure 134: Internal courtyard, looking west. Paul Davies 2013.....	98
Figure 135: Verandah on southern elevation (G37), looking west.....	99
Figure 136: Verandah on northern elevation (G38), looking south towards basement stairs. Paul Davies 2013.....	99
Figure 137: Basement Room B01, looking south. Paul Davies 2013.	100
Figure 138: Basement Room B03, looking south. Paul Davies 2013.	100
Figure 139: Basement Room B05, looking south. Paul Davies 2013.	101
Figure 140: B05 and B06 looking south. 2010.....	101
Figure 141: B05 and B06 looking south. Paul Davies 2013.....	101
Figure 142: B07 looking south. Paul Davies 2013.....	102
Figure 143: B09 looking south. Paul Davies 2013.....	102
Figure 144: Stone stair from hallway to basement in north wing.	103
Figure 145: Door detail showing erosion from B10 in basement to B8. Paul Davies 2013.....	103
Figure 146: B12 open room accessed via external stairs off north wing	103
Figure 147: B11 accessed through B12.....	103
Figure 148: Entertainment Building, 1982. Paul Davies 2013.	105
Figure 149: Sorensen's Garage, c.1970s	105
Figure 150: Manager's Residence, c. early 1980s. Paul Davies 2013.	105
Figure 151: Manager's Residence Open Garage, c. early 1980s. Paul Davies 2014.....	105
Figure 152: Ruin of workshop, c. early 1980s. Paul Davies 2013.	106
Figure 153: Long aviary (right) and workshop ruins (left), c. 1980s. Paul Davies 2013.....	106
Figure 154: Circular aviary, c. 1980s	106
Figure 155: Sandstone loose rubble boxes in paddocks, c. 1980s. Paul Davies 2013	106
Figure 156: Ruin of winery, date constructed unknown	106
Figure 157: Hay barn, c. 1980s; north of northern access driveway in vicinity of orchards.	106
Figure 158: Gardener's shed, c. 1970s, directly south-west of house. Paul Davies 2014.....	106
Figure 159: Vineyard Shed, c. 1970s, south-west of house. Paul Davies 2014.	106
Figure 160: Pump house and retaining wall to dammed lake north of house, c.1980s. Paul Davies 2013.	107
Figure 161: Stables complex, c. 1980s, looking east. Paul Davies 2014.	107
Figure 162: Lunge yard with timber shingle roof south of stables complex. Paul Davies 2013.	107
Figure 163: Racetrack east of 1980s stables complex and north of original southern driveway, looking east. Paul Davies 2014.	107
Figure 164: Retaining wall below aviary along access road, date unknown. Paul Davies 2014.....	108
Figure 165: Early stone wall north-west of house, is contemporary with house. Paul Davies 2014.	108
Figure 166: Timber paddock fencing south west of house, c.1980s, looking north-east towards house.....	108

Figure 167: Race track fencing, c.1980s, looking north-west towards house from southern driveway. Paul Davies 2014.....	108
Figure 168: Stone wall along driveway, 1980s, looking south showing an area of recent damage (since repaired). Paul Davies 2013.	108
Figure 169: Wire fencing to house deer, looking north-west, 1980s. Paul Davies 2014.....	108
Figure 170: Southern bridge, looking south; Creeping fig (<i>Ficus pumila</i>) & Bougainvillea growing over sandstone bridge. Paul Davies 2014.....	109
Figure 171: Sandstone drain under southern bridge. Paul Davies 2005.	109
Figure 172: Northern Bridge approach, looking south towards second bridge around bend. Paul Davies 2014.....	109
Figure 173: Eastern face of northern bridge, looking west. Paul Davies 2013.	109
Figure 174: Entry Gate to Southern Driveway, 1980s. Paul Davies 2014.	110
Figure 175: Southern Driveway, looking west, alignment post 1950s. Paul Davies 2013.	110
Figure 176: Original carriageway alignment pre 1950s, looking east. Paul Davies 2013.	110
Figure 177: Change in driveway alignment, looking east; original carriage-way (line of trees on left) & current driveway (right). Paul Davies 2013.	110
Figure 178: Re-located entry Gate to Northern Driveway, 1980s. Paul Davies 2014.....	110
Figure 179: Northern Driveway, looking west (ironbark trees lining road are 1980s). Paul Davies 2014.....	110
Figure 180: Stone drain along northern side of Southern Driveway in vicinity of original reflecting pond. Paul Davies 2014.....	111
Figure 181: Intersection of Southern Driveway where it heads north over the two sandstone bridges. Paul Davies 2014.....	111
Figure 182: Driveway north of house and dammed lake, both constructed early 1980s, looking east, joins property's northern access road. Paul Davies 2014.	111
Figure 183: Driveway directly east of 1830s former stables, looking south towards loop road designed by Sorensen to access the rear of the house. Paul Davies 2014.....	111
Figure 184: Aerial of House Garden Source: Google Maps 2010	113
Figure 185: Garden north of house, looking east. Paul Davies 2014.	114
Figure 186: Pergola north of house, looking east. Paul Davies 2014.	114
Figure 187: Rose garden, looking north. Paul Davies 2014.	114
Figure 188: Car parking area with Chinese elm grove (<i>Ulmus parvifolia</i>), looking south-west. Paul Davies 2014.....	114
Figure 189: Trees planted along driveway in front of Games building, looking south.....	115
Figure 190: Mature trees west stables and Games building, looking east.....	115
Figure 191: Garden directly west of house, looking east. Paul Davies 2014.....	116
Figure 192: Wall along road south-west of house to car parking area showing damage to stonework. Paul Davies 2014.....	116
Figure 193: Garden and small aviary (background) south-west of stables, looking south, garden designed by Sorensen. Paul Davies 2014.	116
Figure 194: Planted vines, 1980s (formerly the vegetable garden); shed, 1970s; south-west of house and tennis court. Paul Davies 2014.	116
Figure 195: Garden, retaining walls and paved footpaths directly west of house, looking east, terracing designed by Sorensen with later plantings. Paul Davies 2014.	116
Figure 196: Garden, retaining walls and paved footpaths directly west of house, looking south towards external courtyard, terracing designed by Sorensen with later plantings. Paul Davies 2014.	116
Figure 197: Sandstone steps from garage (left) to house, all designed by Sorensen in the 1970s. Paul Davies 2014.....	117
Figure 198: Location of water reservoir, contemporary with house, covered over and lined in 1980s, looking south-west towards 1980s gardener's shed located in car park south of laundry. Paul Davies 2014.....	117
Figure 199: Garden directly south of the house, looking north-east. Paul Davies 2014.	118
Figure 200: Swimming pool c. 1970s, looking east. Paul Davies 2014.	118
Figure 201: Tennis court, c.1920s, looking north towards house. Paul Davies 2014.	118
Figure 202: Garden south of swimming pool, looking south-west, 1970s layout some earlier plantings and	

1980s perimeter wall; Jacaranda (<i>Jacaranda mimosifolia</i>) foreground; <i>Pinus</i> sp. (<i>Pinus radiata</i>) background.....	118
Figure 203: South-west corner of Sorensen's garden layout, looking south), Louis van Houtte (<i>Ulmus procera</i>) centre trees.....	118
Figure 204: Perimeter stone wall around Sorensen's garden, added by current owner in early 1980s, looking north. Paul Davies 2014.	118
Figure 205: Looking east towards dammed lake, designed by Sorensen (1970s) with additional plantings by Andersons (1980s); Willow trees (<i>Salix babylonica</i>) & Jacaranda (<i>Jacaranda mimosifolia</i>) around lake. Paul Davies 2014.	119
Figure 206: View from timber bridge to island, bridge replaced by Andersons (1980s) an earlier bridge designed by Sorensen (1970s). Paul Davies 2014.	119
Figure 207: Summer house on island east of house, added by the Andersons (1990s); island was part of Sorensen's garden layout (1970s). Paul Davies 2014.	119
Figure 208: View to house from island, looking west, views to house from driveway are blocked by stone wall further to the east. Paul Davies 2014.	119
Figure 209: Landscape north of house garden; Manager's Residence; [Source: Google Maps 2010]	120
Figure 210: Landscape west of house garden; paddocks with timber fencing and some stone walls, erected in the 1980s with bird aviaries and workshops.	121
Figure 211: London Plane trees (<i>Platanus hybrida</i>) (foreground) and Stone Pine (<i>Pinus pinea</i>); looking north-west towards ruin of 1980s workshop building and aviaries. Paul Davies 2014.	122
Figure 212: Paddocks and small trees in grassy fields west of house, looking north-east, easement on left. Paul Davies 2014.	122
Figure 213: Paddocks and loose stone boxes west of house; looking towards location of winery ruins, aviary buildings and workshop building ruins. Paul Davies 2014.....	122
Figure 214: Lantana (<i>Lantana camara</i>) growing west of 1980s workshop ruin; in vicinity of quarries; currently 'class 5' weed under <i>Noxious Weed Act</i> . Paul Davies 2014	122
Figure 215: Dammed lake north of house, 1980s, looking south. Paul Davies 2013.	123
Figure 216: Cypress Pines (<i>Cupressus</i> sp.) and other small trees on hill south of lake, 1980s, looking north; trees around south bank of northern lake block views to the north. Paul Davies 2013.	123
Figure 217: Sandstone stairs and arched timber trellis to Manager's Residence, 1980s, looking south-east. Photo taken 2010.	123
Figure 218: Willow tree and giant bamboo north of lake and access road to Manager's Residence, 1980s, looking west. Photo taken 2010.....	123
Figure 219: Hedge along northern side of driveway leading to rear of the house, opposite the car parking area and Chinese elm grove (<i>Ulmus parvifolia</i>) (left), looking west. Paul Davies 2014.	123
Figure 220: Conifer (<i>Juniperus</i> sp.) & Olive Tree (<i>Olea europea</i>) in back-ground along driveway directly north of house, formalised by Sorensen in 1970s; plantings may be later additions. Photo taken 2010.....	123
Figure 221: Native Apple (<i>Angophora</i>) trees that indicate original section of southern driveway (circled). Source: Google Maps 2010.....	124
Figure 222: Littlefields Creek	125
Figure 223: Pasture on south side of stone wall and southern driveway, looking west.....	125
Figure 224: Aerial of Landscape east of house garden to Mulgoa Road Source: Google Maps 2010	127
Figure 225: One of the dams directly north of the race-track with surrounding trees, c1980s. The grouping of casuarinas provides a solid visual screen in the landscape in contrast to the small clumps of scattered trees that previously existed. Paul Davies 2014.	128
Figure 226: Overview from house garden looking east. The open landscape is flanked by more solid plantings. Paul Davies 2014.	128
Figure 227: View over central precinct looking west. Paul Davies 2014.....	128
Figure 228: Looking east towards one of the dams from the northern driveway below the house. Paul Davies 2014.....	128
Figure 229: Trees are Broad-leaved Apple (<i>Angophora subvelutina</i>); stone and concrete fence added in the 1980s. Originally there were no stone fences in this location. Paul Davies 2014.	128
Figure 230: Reflecting pond, part of the original design of the property, 1840s; vegetation on pond and in vicinity, stone retaining wall and timber fence have altered the significance of this element and views to the house since the 1980s. Paul Davies 2014.	128

Figure 231: Aerial of Landscape north of the house Source: Six Maps 2013.....	129
Figure 232: Road leading to large dam in north of property with various metal and timber paling fencing and native vegetation, looking north. Paul Davies 2014.....	130
Figure 233: Northern landscape, looking north-east towards large dam. Paul Davies 2014.....	130
Figure 234: Orchard to the west of the farm building north of the northern driveway, looking west. Paul Davies 2014.....	130
Figure 235: Stockyards east of orchard and hay building, north of northern driveway.....	130
Figure 236: Cumberland woodland.....	131
Figure 237: Stockyards in clearing along fire track.....	131
Figure 238: Aerial of Natural vegetation on western portion of Fernhill Estate Source: Six Maps 2013.....	132
Figure 239: St Thomas' Church is at the bottom of the above aerial photograph, and Fernhill's current southern driveway entrance is on the bottom left. The original drive extended approximately from the end of the driveway extending east from St Thomas Road; Source: Google Maps 2010.....	133
Figure 240: Vegetation on the east side of Mulgoa Road, which is part of the SHR listed property, looking east. .	133
Figure 241: The southern lots around the 1960s dam. Six Viewer 2013.....	134
Figure 242: The extent of the land holdings owned by Owston Nominees No. 2 Pty. Ltd., which includes Fernhill. Note that lot 64/247308 was recently excised from the holding and no longer forms part of the property. Paul Davies Pty. Ltd., 2013.....	135
Figure 243: Aerial of Natural vegetation on far western portion of Fernhill Estate, the western lots fronting Nepean Gorge Road Source: Six Maps 2013.....	137
Figure 244: 1947 Overlay showing the features extant in 1947 on the 1947 landscape.....	139
Figure 245: 1947 Features overlaid on current aerial photograph.....	139
Figure 246: 1961 Features overlaid on current aerial photograph.....	139
Figure 247: 1970 Features overlaid on current aerial photograph.....	139
Figure 248: 1979 Features overlaid on current aerial photograph.....	139
Figure 249: 1994-1998 Features overlaid on current aerial photograph.....	139
Figure 250: Plan of area around house showing areas that have been filled since 1960 (blue shading and areas tht have been cut into the natural embankments (yellow). Paul Davies 2014.....	140
Figure 251: View into the landscape from the front of Fernhill House. This view is taken from the lawn directly in front of the house. Paul Davies 2014.....	144
Figure 252: Views from the driveway of Fernhill House looking east. The view location is the edge of the drive and garden. Paul Davies 2014.....	145
Figure 253: Views to Fernhill House from Mulgoa Road. The view is from the southern edge of the road verge. The light blue is the cone of vision that is available however only the hatched darker areas are actually visible and the green highlights are the vegetation in the middle ground and around Fernhill House that are visible from this viewing position. Light blue is the identified viewshed, the hatched blue area is the actual landform that can be seen from the viewing position and the green areas are the upper sections of trees that can be seen in the middle and distant ground that stand out above the general landscape. Paul Davies 2014.....	145
Figure 254: The view along the entry path above the carpark to the front of the house. The Sorensen landscape treatment has provided an enclosed and contained entry with the house only revealed one the visitor reaches the lawn directly in front of the house. Paul Davies 2014.....	146
Figure 255: The entry path arriving from the rear of the property. Sorensen created a series of platforms with gardens and the entry path stepping around the gardens to the central rear courtyard. Earlier this area was not landscaped. Paul Davies 2014.....	146
Figure 256: The entry point at the end of the driveway adjacent to the house service wing where limited parking is available. This view provides vista to the main frontage of the verandah. The level changes and landscaping is a combination of Sorensen and later Anderson works. Paul Davies 2014.....	147
Figure 257: The main frontage of the house with the entry path entering from the right of the photo and a levelled lawn in the foreground. Originally the house had a porte-cochere in this location, sloping ground and a cirbular driveway. Paul Davies 2014.....	147
Figure 258: The current view or outlook taken from the front of the house on the lawn near the edge of the grassed embankment. This is the first point at which an overview is available from the main frontage. The level changes and intense planting has created an enclosed viewscape with	

glimpses to distant hills. The intermediate landscape is not visible from the house or main garden areas immediately adjacent to the house, however the outlook is broad, despite the tree cover. Paul Davies 2014.	148
Figure 259: An interesting view back to the house from the middle of the lower lawn area. The levelling of the lawn around the house to create platforms has removed most of the view of the house from the lower garden and from the entry driveway. Paul Davies 2014.	148
Figure 260: An internal view looking across the front of the house to the ornamental lake and the dense foliage cover beyond. The sense of an open landscape has been lost in these views around the property. Paul Davies 2014.	149
Figure 261: A framed view from the main verandah of the house. The view is dominated by the foreground lawn, blaustrade and trees in the immediate view. Filtered views are available to distant hills. The main part of the estate cannot be viewed from the house. Paul Davies 2014.	149
Figure 262: The only clear view of the house available from the entry driveway on approach to the house. The colonial landform can be seen immediately behind the fence in the sloped lawn that is then interrupted by the grassed embankment and the balustrading around the pool area. As the visitor moves further along the driveway views of the house are removed by the level changes and the stone fence. Paul Davies 2014.	150
Figure 263: A view from the lower garden/lawn area across the stone fence and entry drive to the stables complex. The reflecting pond is on the far right of this photo behind a stand of trees. Views in this direction are largely terminated by the tree growth along Littlefields Creek. A glimpse of the eastern precinct grasslands around the lake can be seen in the upper left of the photo. As a colonial property this was a more open vista with views possible to the church beyond (to the left of this photo). Paul Davies 2014.	150
Figure 264: series of linked photos providing a panorama across the main landscape area of Fernhill Estate. The photos are taken from the entry drive roughly in the middle of the vista where a seat is located (the location of figure 252). These views are not available from within the garden area except in limited viewlines and generally they overlook the grassed slopes.	150
Figure 265: View onto the Fernhill lands from the main entry gate (taken adjacent to the gate), this is an important view that indicates the estate is beyond and that it is a place of some scale and importance, however, the view is restricted to a depth of about 100m where the existing topography and tree cover terminate the vista. The stone fence to the left is set far enough back from the drive that it has only a minor view impact. Paul Davies 2013.	152
Figure 266: The view from the entry gate along the frontage of Mulgoa Road. This shows the two lines of planting and the undulating form of the landscape. The right hand undergrowth fronts the road and the left hand line of trees forms a barrier to viewing onto the property from the boundary. Paul Davies 2013.	152
Figure 267: A view into the property taken approximately 100m along the entry drive. From here glimpses of the estate beyond appear, but the view remains heavily screened by mature tree plantings and the stone fence. Paul Davies 2013.	152
Figure 268: The view from the first section of original driveway looking to the house and the house garden on the ridge line. The open landscape form is clearly evident as is the house location through the dense vegetation. Paul Davies 2013.	152
Figure 269: View across the eastern precinct at the boundary with Mulgoa Public School. From this part of Mulgoa Road there is no overview available to Fernhill lands due to tree cover in the fore and mid distance. Paul Davies 2013.	152
Figure 270: The view from the edge of the park adjacent to the entry to Mulgoa on Mulgoa Road. The immediate grassed area is precinct 9, the trees in the middle ground are located along Littlefields Creek, which is the edge of the original estate and the grassed and vegetated hillside beyond is the slopes leading up to Fernhill. The treed hill in the background is the land at top of Mayfield Road and is outside the site. Paul Davies 2013.	152
Figure 271: The view from Mulgoa Road to the north of the farmhouse adjacent to Mulgoa township. A very distant view to the far hillside is available from only this one location as the viewer moves along the edge of the road. With binoculars the house is just visible through the trees from this position, it appears that this is the only public location where any view is possible of the house, but the distance makes the house non-discernible to the viewer. Paul Davies 2013.	153
Figure 272: Looking north along Mulgoa Road from the same position as photo 271 was taken showing the nature of the road and the lack of opportunity for pedestrians to stop and traverse the area. Paul Davies 2013.	153

Figure 273: The view along the main drive flanked by apple gums. Even though quite an intact view it is also quite an enclosed view with glimpses out into the broader landscape. Paul Davies 2013.....	153
Figure 274: View near entry of flanking stone wall that follows the main drive for most of its length. These walls were added by the Andersons. Paul Davies 2013.....	153
Figure 275: The view along the service driveway on the north of the property that is available to visitors as they move along the driveway. Views are available into the adjacent paddocks, particularly to the south, however the long-view is screened by the flanking tree plantings. It is noted that wider views are available from the paddocks, however these are not locations that most visitors can access. Paul Davies 2013.	153
Figure 276: The 2013 view from the upper section of Mayfair Road, taken from the property boundary looking towards Fernhill. The house would be on the far left of the photo, however this is one of the few locations where a view through the trees on the northern lots is available. Paul Davies 2013.	153
Figure 277: View from the driveway directly below Fernhill looking east across the core landscape area. Note the trees around the dams in the middle ground. The view is of the immediate grassed slopes, the regrowth tree cover in the slightly further distance and then into the distance of the Mulgoa Valley as the valley floor rises to the east. Paul Davies 2013.	154
Figure 278: A detail of one of the central dam areas surrounded by casuarinas and willows. As noted in the discussion these plantings are quite recent and thinning or selected removal can open up longer vistas through the property. Paul Davies 2013.	154
Figure 279: Heritage listed properties surrounding Fernhill Penrith LEP 2010.....	155
Figure 280: Mulgoa Public School, Mulgoa Road, looking north-west.....	155
Figure 281: Mulgoa Shopping Village, Mulgoa Road.....	155
Figure 282: St Thomas Anglican Church. Paul Davies 2014.....	156
Figure 283: Cox family gravestones and monuments in St Thomas burial ground. Paul Davies 2014.	156
Figure 284: Cox's Cottage Source: Heritage Branch 2010.....	157
Figure 285: View to north façade and veranda of Cox's Cottage from direction of Lot 2; Source: Photo courtesy of Heritage Branch.	157
Figure 286: Fairlight Homestead viewed from the Fernhill boundary	157
Figure 287: Fairlight Barn viewed from the public road.	157
Figure 288: House garden (Landscape Area 1) showing gradings of significance.....	176
Figure 289: Floor plans showing gradings of significance for internal room configuration	177
Figure 290: Fernhill Estate Central, Eastern and Northern Lands, Gradings of Significance and Identification of Site Features.	178
Figure 291: Extract: Penrith LEP 2010 Heritage Map 007, showing part of the Fernhill site at left (coloured, Heritage Item No. 2260128). This also shows the locations of adjacent heritage items, numbered (see Table for detail).....	180
Figure 292: Extract: Penrith LEP 2010 Heritage Map 001, showing the western part of the Fernhill estate under the LEP heritage listing (coloured) at right. The nearby separately listed sites are Fairlight (Heritage Item No. 2260140 to the south), which adjoins Fernhill estate lands which are not heritage-listed, and item 2260141 to the west, which is a local heritage item in the LEP. (Details of heritage items in the vicinity of Fernhill outlined in below).....	181
Figure 293: SHR map of the gazetted listing for Fernhill.	181
Figure 294: Map from DCP 2010 overlaid on current aerial photograph of the site. The areas marked 'P' are identified as parkland and 'W' indicates woodland. This plan appears not to reflect actual views as they are now found but rather zones the site into landscape types. The minor lack of alignment between the property and road layout and the green overlay reflects inaccuracy in the original mapping.	197
Figure 295: Map from DCP 2010 overlaid on current aerial photograph of the site. The areas marked 'DC', outlined in red, are the areas indicated as requiring detailed design control. The yellow line is the Fernhill curtilage outline, the green line is The Cottage curtilage. It is of interest to observe that the area designated for design control does not reflect the curtilage assessments.	197
Figure 296: Evidence of salt attack and spalling on the original sandstone walls in Basement room B01.....	208
Figure 297: Partly bricked up vent and intrusive services on northern wall in Basement room B10; also shows evidence of salt attack and spalling on the original sandstone walls.....	208
Figure 298: Site plan showing areas of the site that could be used for farm activities apart from specific uses noted below. Paul Davies Pty Ltd 2013.....	216

Figure 299: Detailed site plan showing areas of the site that could be used for equestrian activities. Paul Davies Pty Ltd 2013.	217
Figure 300: Site plan showing areas of the site that could be used for equestrian activities. Paul Davies Pty Ltd 2013.	218
Figure 301: Site plan showing areas of the site that could be used for events activities. Paul Davies Pty Ltd 2013.	220
Figure 302: Site plan showing areas of the site that could be used for events activities. Paul Davies Pty Ltd 2013.	221
Figure 303: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.	222
Figure 304: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.	223
Figure 305: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.	225
Figure 306: BioBanking areas on the eastern part of the Fernhill Estate. The areas shaded green are the areas that are currently subject to BioBanking agreements. The shading is an overlay of a GHD Plan marking the boundaries of BioBanking areas 2013.	226
Figure 307: BioBanking areas on the central part of the Fernhill Estate. The areas shaded green are the areas that are currently subject to BioBanking agreements. The shading is an overlay of a GHD Plan marking the boundaries of BioBanking areas 2013.	227
Figure 308: Site plan showing areas of the site that could be used for service activities. Paul Davies Pty Ltd 2013.	228
Figure 309: Site plan showing areas of the site (not including the western precinct) that could contain some sub-division and development in the future. The areas are defined by the extent of open grassland in the eastern precinct and are not intended to be definitive areas but rather the areas in which sub-division could be considered. The intent of the diagram is to locate any future development outside the original grant lands and in an area that is connected to Mulgoa Road and Mulgoa Village. Paul Davies Pty Ltd 2013.	229
Figure 310: Fernhill's landscape precincts:.....	233

Tables:

Table 1: Property Owners of Fernhill	65
Table 2: Key Dates	67
Table 3: Historical Themes	72
Table 4: Heritage Significance	159
Table 5: Gradings of heritage significance definitions	165
Table 6: Gradings of heritage significance for Fernhill.....	165
Table 7: Heritage Listings for Fernhill	179
Table 8: Statutory Heritage Listings in Vicinity of Fernhill.....	182
Table 9: Policy Cross-references	234

1 Introduction

1.1 Brief

This Conservation Management Plan has had an unusual background. It was originally prepared by Paul Davies Pty Ltd, Architects Heritage Consultants, in 2005 for Owston Nominees No 2 Pty Ltd. That document was then adapted, again for Owston Nominees No. 2 Pty Ltd by Urbis Pty Ltd in 2010. In 2013, with the property under new ownership, the CMP was again updated and expanded by Paul Davies Pty Ltd.

The resulting document contains sections and elements from the first two editions and new material related to the change of ownership of the property and responding to the changed Penrith Council planning regime that now controls future development on the site.

There has also been considerable work over the last 10 years on assessing and considering the cultural significance of the original Fernhill estate in its colonial form and the various changes that have taken place, largely in the last 50 years. This edition of the CMP has reviewed all of the heritage assessments made in the two earlier versions and the various statutory listings and has set out a considered assessment of the relative significance of the various elements and parts of the estate.

Perhaps the largest difference between the various plans has been the areas of the site that have been addressed. Both the 2005 and the current CMP consider the whole of the current Fernhill holding, which extends outside the original Fernhill grant, where the 2010 plan limited its considerations to the original Fernhill grant land.

Paul Davies Pty Ltd was first engaged by Owston Nominees No 2 Pty Ltd to prepare a CMP for the full extent of the then Fernhill holdings. This included the core heritage site and a substantial additional area in a number of separate lots that had been added to the site over the last 30 years. The CMP was part of a series of reports that were looking to consolidate the core heritage lands and explore options for sub-division and disposal of other parts of the site. Warren Anderson who occupied the property at that time directly managed this work. This plan was completed in 2005.

The first CMP was provided to both Penrith City Council and the NSW Heritage Council. The NSW Heritage Council reviewed the document and made a series of comments that were incorporated into the document, however the final plan was not submitted for endorsement.

Control of the property then passed to Cheryl Anderson and a second CMP was commissioned, it was completed in 2010. This was prepared by Urbis and incorporated much of the material from the 2005 CMP. This document was limited to the area of the site affected by the NSW SHR listing and did not consider in detail the landscape setting of the adjoining lands. This document focussed in more detail on the house and specific aspects of the site. It also set out a schedule of conservation and maintenance works. This document also did not proceed to endorsement.

Both of these documents were prepared under a planning regime that has now changed. SREP13 has been revoked (this affected the whole of the site) and a new LEP (Penrith LEP 2010) was gazetted that has significantly changed the heritage listings around the site.

Since the 2010 CMP was prepared the site has changed ownership and there is a new direction for the whole site. This includes consolidating the core heritage lands in conjunction with some sub-division and development of peripheral lands. New uses for the site are being considered and this further revision of the CMP has been commissioned to reflect the planning changes, the ownership change, the change of direction and to again

include the broader setting in the considerations about how to conserve and manage the whole property into the future.

Paul Davies Pty Ltd has been commissioned to review the 2010 plan and address the above issues.

Fernhill is listed as an item of state significance on the State Heritage Register of NSW (SHR) and it is a local heritage item within Penrith LEP 2012. Areas of the extended site have also been included as heritage items in the 2010 LEP for their significance in relation to Fernhill. These listings have changed the context of the place.

The significance of Fernhill is in its built heritage, its picturesque landscape setting and the remaining views and vistas, mostly within the estate, but also to a limited extent beyond the estate. It has components of natural, cultural and archaeological heritage and historical associations with the Cox family and other noted individuals.

This CMP provides guidelines to conserve Fernhill's significant buildings, landscape and setting and sets out policies for the future use and management of the place. The CMP provides an analysis of why the place is significant, and then sets out policies on how to retain its significance with conservation strategies to ensure its long-term viability as a pastoral property.

1.2 Site Location

Fernhill is located on the edge of Mulgoa, on the western side of Mulgoa Road between Regentville and Wallacia, in the local government area of Penrith. Mulgoa is approximately 60 km west of Sydney's CBD in New South Wales. It is set in the picturesque Mulgoa Valley, which was an early settled area of Sydney.

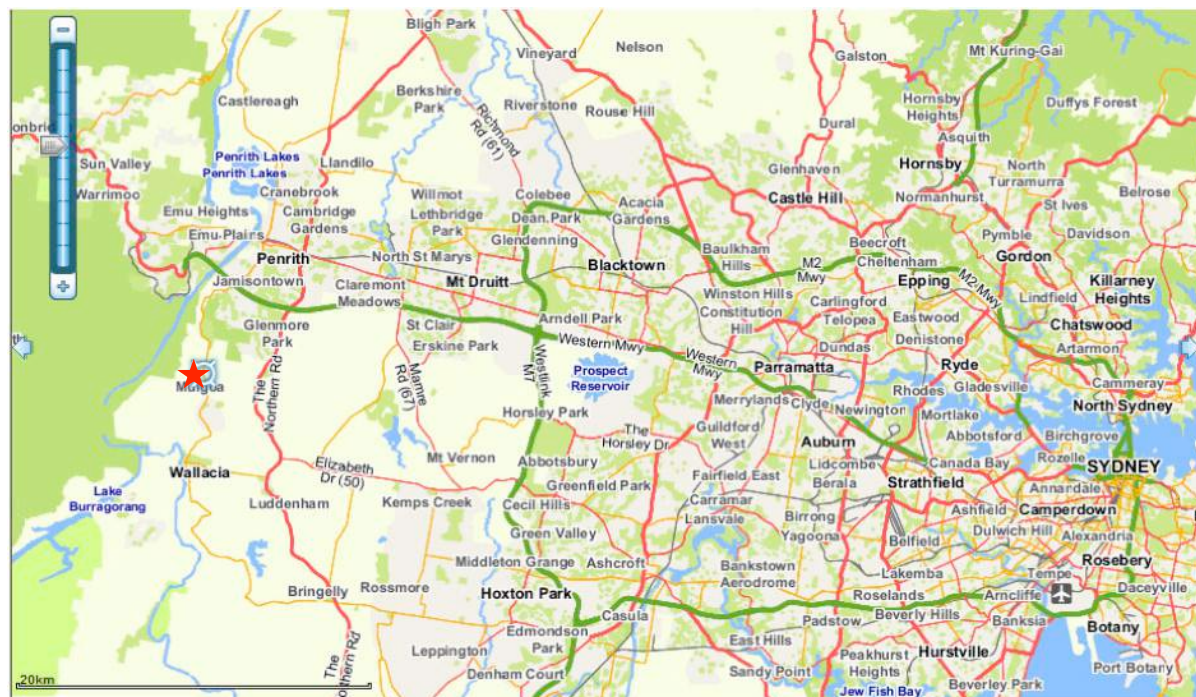


Figure 1: Map showing location of Fernhill within the Sydney region Source: Google maps

1.3 Methodology

This Conservation Management Plan has been prepared in accordance with the *NSW Heritage Manual* (1996 and updated publications), the Australia ICOMOS Burra Charter (1999), and *The Conservation Plan* by James Semple Kerr (2000).

This CMP is somewhat unusual, as it has undergone three reviews with two different authors. The resulting document incorporates elements from the various studies.

1.4 Limitations

During the various site visits over the last ten years parts of the house or property could not be inspected, it appears however that through the various stages of report preparation that most aspects of the place have been investigated in detail. As the site is large and parts of it are difficult to access (natural bushland areas), not every part of the estate has been accessed.

All buildings, built elements, added features to the site have been analysed. Roof spaces and under floor areas have been inspected where possible. The whole of the introduced landscape has been inspected in detail.

The two quarry sites have been accessed by Paul Davies around 2004 but have not been revisited since that time. They are located on either side of the ravine behind the house where there is evidence of stone cutting remaining.

As the interior of the house was extensively re-arranged and altered during the Anderson occupation and there are limited records of that work that have been found, assessment has been based on verbal advice from Warren Anderson about what existed and still exists behind new linings including silk wall coverings, Huon pine panelling in the old kitchen and various other altered parts of the building. Further information may be forthcoming if intervention were to take place in these areas in the future.

The extent of work undertaken by Anderson is also at times difficult to determine as much of his fitout was done with great attention to detail with close matching of earlier finishes making differentiation of old and new difficult.

Information was also obtained in conversation with John Darling around 2003, however his records were not and have not been accessible. It is not clear how much reconstruction took place prior to his occupation of the house, but it appears that the house was in very poor condition and that much of the floor and ceiling construction was replaced at this time.

1.5 Author Identification and Acknowledgments

The original 2005 plan was prepared by:

Paul Davies (Director and Heritage Architect); and

Nick Jackson (Historian).

The 2010 Urbis plan was prepared by:

- Deborah Arthur (Senior Heritage Consultant, Project Manager);
- Jenny Faddy (Associate Director); and
- Stephen Davies (Director).

The 2013 plan has been written and edited by Paul Davies.

Site photographs from the 2010 were taken by Deborah Arthur and Jenny Faddy. 2013 photographs were taken by Paul Davies Pty Ltd.

The authors would like to thank the following people and organisations for their assistance with the compilation of this report:

- Stuart Read, Elizabeth Robertson, Vincent Sicari, Siobhan Lavelle, Petula Samios, Lily Chu and Ed Beebe from the Heritage Division, Office of Environment and Heritage (and its various earlier names);
- Staff at the Mitchell Library, State Library of NSW;
- Otto Cserhalmi, Heritage Advisor, Penrith City Council;
- Warren and Cheryl Anderson; and
- Simon and Brenda Tripp.

1.6 Distribution, Monitoring and Review

Copies of the revised CMP will be issued to the property owner, Penrith City Council and the Heritage Branch, NSW Department of Planning.

The recommended time frame for monitoring and review of this Conservation Management Plan is within 10 years or if a major change is proposed for the property that is not addressed in the policies of this CMP.

Records on changes to the place should be kept with the property owners to assist in updating the CMP in the future.

2 History

This Section provides a brief history of the Mulgoa Township, the development of Fernhill Estate, the Cox family and landscape design in the 19th century. Much of this history is taken from the 2005 CMP on Fernhill by Paul Davies Pty Ltd with direct sources noted from his report.

2.1 Aboriginal History

The Mulgoa Valley had a continuous supply of water and plant foods in the gullies and on the flood plain areas. The Valley marked an important boundary between two major clans – the Dharug from the plains and the Gundungurra from the mountains. These clans were separated, not only by the valley, but also linguistically. The Mulgoa Valley was used by both clans. Groups travelled along it to attend ceremonies, to barter foodstuffs, and, especially during periods of drought, as a source of food and water. As the Nepean River was a permanent water supply the lands in close proximity to the river could always be relied upon to provide food reserves. The Mulgoa area saw numerous bloody encounters between the European and Aboriginal inhabitants of the area, especially during periods of drought, when food supplies were scarce. However, it appears that the clashes were between the Gundungarra clans and the Europeans, rather than the Mulgoa band of the Dharug clan, which remained peaceful.¹

Aboriginal people lived in the Valley for thousands of years prior to European contact, which is likely to have been in the late 1800s. The expansion of settlements from Sydney and the consequent clearing of the valley for grazing spelt the end for this traditional way of life, although historical accounts note that the Mulgoa Tribe continued to live in a semi-traditional manner until at least the 1840s.

Land grants were issued in the Mulgoa area from around 1810. Cox's Cottage was built in 1811 and three years later newly arrived settlers were directed to meet on this farm. It was around this period that the first serious conflicts occurred between Aborigines and European settlers. In July 1814 in the *Sydney Gazette* several "attacks" by Aboriginal people [Gundungurra clan] were noted in Mulgoa within the last month and "Cox's people...[were] compelled to defend themselves with their muskets".²

The conflicts in the area reached a peak in 1816 when Governor Lachlan Macquarie sent troops on an expedition to "kill and capture as many of the hostile Aborigines as could be found".³ One attack at Mulgoa in August 1816 was noted in the *Sydney Gazette* where the body of a shepherd belonged to an estate at Mulgoa was found murdered by some "natives" in grazing land near a farm. Many of his sheep were killed during the attack. When information of the attack reached the European settlers, parties were sent out to murder the Aboriginal people responsible.⁴

During these hostilities the Mulgoa Tribe were noted as being peaceful, but their numbers were rapidly declining. In 1826 Aboriginal people were working on Cox's estate, such as wheat farming.⁵ The census in 1828 noted 15 Aboriginal people living at Mulgoa: 7 men, 5

¹ Kinhill Stearns 1983:4-1; Penrith City Council 2010a

² *Sydney Gazette* 7 July 1814P

³ Kinhill Stearns 1983:4-2

⁴ *Sydney Gazette* 31 August 1816

⁵ *Sydney Gazette* 23 December 1826

women and 3 children. By 1877 there were about 60 Gundungurra people living in the Burragorang Valley.⁶

2.2 Mulgoa Valley

Early exploration by European people in the area included: Watkin Tench's expedition in 1789 as far south along the Nepean as Glenbrook Creek; George Evan's boat trip in 1804 along the Nepean to Nepean and Warragamba Rivers; George Caley's expedition in 1807 as far south along the Nepean River to Wallacia; and Governor Macquarie's boat trip along the Nepean in 1810 to the Warragamba River.⁷

Mulgoa was a key area of settlement in the colony from 1810 with Macquarie's first series of official land grants made on 1 January 1810. Mulgoa has an Aboriginal, rather than a European derivation. It is thought to sound similar to the Aboriginal word meaning 'black swan'.⁸

The Mulgoa Valley became, for a period, the architectural showpiece of the Colony, with the homes of the numerous members of the Cox family, the Nortons and others being consistently of a grand nature.⁹

In July 1815 the road over the Blue Mountains was completed under the supervision of William Cox. Governor Macquarie visits Mulgoa Valley in October 1815.

The Cox family undertook substantial clearing of the natural landscape in the Mulgoa Valley which resulted in an open parklike landscape with dense forest areas and cleared pastures. The original palette of vegetation was typical of the Cumberland Plain Woodland including rough barked apple, grey box, forest red gum and ironbark.¹⁰

In the late 19th century a surge of development occurred in the Valley including Mulgoa Public School (1883), a public hall (1891), hotel (1891) and the post office (1893). A Roman Catholic Church was established in a Valley that for generations under the Cox and other families had been staunchly Protestant. Another change was coming of self-government by the community with the declaration of Mulgoa Municipal Council on 26 July 1893. The prospect of closer settlement also initiated a proposal in 1890 to link the valley by railway to Liverpool.¹¹ Electricity came to Penrith around 1890 by means of a privately owned electricity generating station, but the municipality was not linked to the Sydney supply until 1931. Sewerage pipes were added in 1892.¹²

By the 1910s the way of life in the Mulgoa Valley that had changed little in the 19th century had come to an end. The old pioneering families over time had disposed of their estates either by sale or foreclosure: Fernhill was lost in 1896 due to a failed mortgage; Winbourne was sold in 1901; and Mulgoa Cottage was sold in 1913. The removal of the Cox family from the Valley was the culmination of a gradual withdrawal from their Pastoral estates on the Cumberland Plain. The process had begun in the mid 19th century with the sale of Henry Cox's Glenmore in 1852, the Hawkesbury River properties Clarendon in 1862 and Hobartville in 1877.

⁶ Kinhill Stearns 1983:4-3

⁷ Kinhill Stearns 1983:5-1

⁸ Nepean District Historical Society 1997:49

⁹ Penrith City Council 2010a

¹⁰ Kinhill Stearns 1983

¹¹ Parliamentary Standing Committee on Public Works. Railway from Liverpool to Mulgoa, Report. *Votes and Proceedings of the Legislative Council of New South Wales, 1904, Vol. 3, p.1073*

¹² Thorp 1986:126 (sec. 8.5)

The end of the Second World War in 1945 heralded a new era in the history of Mulgoa Valley, as elsewhere in greater metropolitan Sydney, with the coming of sealed roads, electricity, sewage, and the ever-present pressures of suburban development. The endless march of late 20th century suburban subdivision has not impacted on the Valley around Fernhill, although rural residential development now borders Fernhill to the north and south.

On 1 January 1949 Mulgoa Municipality joined with Castlereagh, St. Marys, and Penrith Municipalities to form one large Municipality of Penrith. In the same year Mulgoa Road was realigned and upgraded, which changed the road's narrow and winding character.

In the hills above the valley the mammoth engineering enterprise of the Warragamba Dam construction proceeded through the 1950s. The cartage of materials and men necessitated the upgrading of roads and construction of infrastructure. At Fernhill, the Mulgoa Road was realigned in 1949 cutting a new route away from St. Thomas' Church across the southeastern boundary of the property, eliminating the horseshoe bend at the north-eastern corner of the estate. The Water Board also reserved an easement across the western half of the property in 1953 for the construction of its aerial ropeway used to transport stone aggregate sourced from the Nepean River at Penrith to the Warragamba Dam construction site below Silverdale.¹³ While Warragamba Dam was constructed principally for metropolitan Sydney water supply process, a secondary role was the provision of hydro-electricity and to this end an electricity transmission line was laid across the Fernhill property adjacent to the aerial ropeway easement.

Mulgoa today has gone full circle, from the early farming, vineyards and orchards, to the guesthouses of the first part of the 20th century, it is now an area of extensive hobby and general farming, with some tourist through traffic. The area still retains its rural character with increasing urban development around the town centre.

2.3 Cox Family

Various sources provide detailed history on the Cox family¹⁴, however the history below is predominantly that of the Cox's who owned Fernhill Estate in Mulgoa and who lived in the vicinity.

The Mulgoa Valley has particular historic associations with the Cox family. They were in the Valley for three generations between the 1810s and 1900s. The different branches of the family were centred on the estates of Glenmore, Winbourne, Fernhill and Mulgoa Cottage. The Cox family name is associated with the development and improvement of stock: cattle, sheep and horses.¹⁵

The Cox family pioneer in the Mulgoa Valley was William Cox (1764-1837) who had arrived in New South Wales on the *Minerva* in 1800 accompanied by his first wife, Rebecca Upjohn, and four of his six sons. Cox was a lieutenant in the New South Wales Corps (and its paymaster). On joining the army in 1795 Cox succeeded in being appointed to the NSW Corps in 1797. As a member of the officer class in the fledgling penal establishment, Cox enjoyed the privilege of farming while holding down his normal military duties. Cox quickly secured large areas of farmland centred on productive Wianamatta shale derived soils found on the then outskirts of Sydney. Within one year of his stay in Sydney, Cox had acquired 1,500 acres of agricultural land at Petersham, Ryde and Castle Hill. William Cox made a

¹³ Land and property Information – Torrens Title Register Vol. 4423 Fol. 49 and per. Com John Darling, 3/03

¹⁴ Roxburgh 1975; Watson 1920; Australian Dictionary of Bibliography Online (various references)

¹⁵ Roxburgh 1975:236

substantial contribution to the administration, building, pastoral and agricultural development of the NSW colony.

Cox returned to England in 1807 to answer charges brought against him of malversation. Cox's stay in England proved to be a long one, only returning to New South Wales in 1810 on resignation of his military commission in 1809. Cox's period of stay in England coincided with the politically turbulent years in the administration of the colony's affairs with the so-called Rum rebellion. During this period of stay in England, his affairs were managed by his wife Rebecca, his eldest sons and, probably James King, his steward in the NSW Corp.

Cox's return coincided with the onset of the governorship of Lachlan Macquarie. The Macquarie era brought to the colony political stability and sustained economic growth and good fortune for William Cox. On his return, Cox had settled at Clarendon Farm on the Hawkesbury River in an area that had initially been settled from 1794 by emancipists at the direction of Governor King. For a number of years remote from the main settlements at Sydney and Parramatta, Macquarie was particularly interested in encouraging agricultural potential of this area through the establishment of reserved townships, the administration of justice, etc.

Macquarie entrusted Cox with the judicial administration through appointment as local magistrate in 1810, and supervision of public works such as Francis Greenway's Windsor court house, completed in 1820. Cox also was engaged by Macquarie to supervise the construction of the first road over the Blue Mountains Road, successfully completing this task through mid 1814 and into 1815. Cox was rewarded for this enterprise with a grant (the first west of the Blue Mountains) of 2000 acres on the Macquarie River, named Hereford.

On the first day of his governorship, New Years Day 1810, Macquarie reinstated a number of Colonel William Paterson's grants of 1809 made in the Mulgoa Valley, including 300 acres to Edward Cox, the youngest son of William Cox. Edward at the time of the grant was aged four and a half years and the application for the grant was made by his mother Rebecca, who stated she required the land.¹⁶

The following is a list of land grants to the Cox family in the Mulgoa Valley:¹⁷

- 300 acres to Edward Cox: 1 January 1810; *
- 100 acres to William Cox: 8 October 1816;
- 200 acres to William Cox: 8 October 1816; *
- 820 acres to William Cox: 8 October 1816;
- 600 acres to George Cox: 8 October 1816;
- 400 acres to Henry Cox: 18 January 1817;
- 760 acres to William Cox: 18 January 1817; * and
- 850 acres to William Cox: 5 April 1821. *

The Cox family acquired neighbouring freehold land in the 1810s and 1820s to increase their pastoral land.

¹⁶ NSW State Records, Colonial Secretary's Correspondence, R. Cox, 13th January 1810. Fiche 3003, 4/1824, No.73

¹⁷ The properties marked with an asterisk (*) were part of the Fernhill Estate in the 19th century; Davies 2005:50

Map of Edward Cox's 300 acre land grant, early 1800s

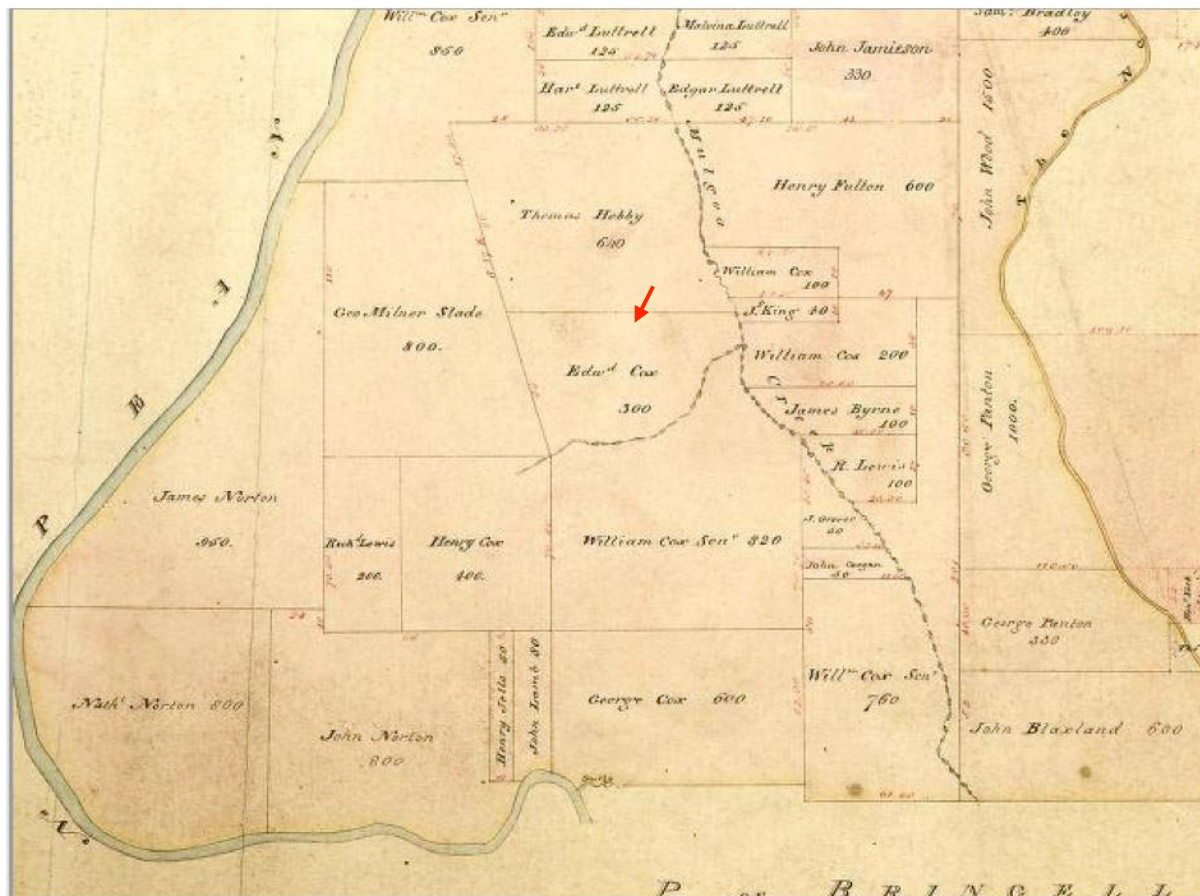


Figure 2: Edward Cox's land grant indicated by arrow with southern boundary being Littlefield's Creek Source: NSW Department of Lands 2010b, Parish Map of Mulgoa, Image No. 14066701

The 300 acre land grant to Edward Cox was favourably situated at the confluence of Littlefield's and Mulgoa Creeks, and is indicative of the grants made in the valley between 1810 and 1814 on the low undulating hills of the eastern part of the Valley with its shale derived soils.

In the Valley each of the Cox brothers established from the 1820s their own estates – Winbourne, Glenmore and Fernhill. George Cox's (1795-1868) Winbourne was developed from 1824, shortly after his marriage to Elizabeth Bell of Belmont, Richmond in 1822. Henry Cox's (1796-1874) Glenmore was developed from 1823 on his marriage to Frances McKenzie, the daughter of Alexander McKenzie, an official of the Bank of New South Wales. Edward Cox's (1805-1868) Fernhill was the last to develop, but incorporated the earliest of the homesteads – Mulgoa Cottage (c. 1811).

William built Cox's Cottage for his sons and their tutor in 1811. William Cox's sons, George, Henry and Edward all lived at Mulgoa Cottage prior to their marriages and development of their own estates.

The land was cleared and farmed, and neighbouring properties were acquired from the 1810s to 1820s. Mulgoa Cottage still stands today and is one of the oldest homes remaining in the Penrith area.

Edward Cox returned to England in the early 1820s to complete his education. While there he studied wool processing at the Yorkshire mill town of Rawdon near Bradford, Lancashire. Rawdon has a long-standing association with the development of Australia's wool trade,

Samuel Marsden's first shipment of wool being processed there in 1807.¹⁸ After his return to the colony in mid 1825, Cox married in April 1827, Jane Maria (1806-1888), the third daughter of Captain and Mrs Richard Brooks of Denham Court near Ingleburn.

Shortly after Edward and Jane Maria's marriage, in February 1828, Edward mortgaged the Mulgoa Cottage and the 300-acre crown grant to Henry Grattan Douglas for £2,066.¹⁹ This mortgage may relate to improvements to the Mulgoa Cottage farm necessitated by his marriage and prospective family, as all of Edward and Jane's children were born at Mulgoa Cottage – Christiana (b. 1828), Edward King (b. 1829), Emma (b. 1831), Richard William (b.1832), James Charles (b. 1834), Jane Maria (b. 1836), Rebecca (b. & d. 1838) and Charlotte (b. 1839).

By about 1830 the Cox family were in possession of about 9000 acres in Mulgoa Valley. Their neighbours were few, but included in 1841 Sir James Jamison at his Regentville estate of 9000 acres centred on a house completed in 1825, probably to Francis Greenway's design, Nathaniel Norton's Fairlight above the Nepean River built c.1821, and the incumbent of St. Thomas' Church.²⁰ The closeness of this community in the Valley is perhaps best demonstrated by the filial ties of marriage, the daughters of Alexander Kenneth Mackenzie marrying Henry Cox of Glenmore, James Norton the brother of Nathaniel Norton of Fairlight and Rev. J. Trough ton the incumbent of St. Thomas'.

Through the 1830s the extent of Edward Cox's entitlement to the Cox's family land in the Mulgoa Valley was formalised through a series of legal deeds of conveyance and memorandum. In June 1834 George M. Slade's land grant of 800 acres was conveyed to Edward from his father,²¹ and in August 1834, 28 acres of his father's 820 grant were also conveyed.²² Subsequently in August 1840, 196 acres 14 perches of Thomas Hobby's grant of 640 acres were conveyed to Edward from his brother Henry.²³ At the same time, Henry received 339 acres of the aforementioned Slade grant.²⁴ All of these lands, together with most of the principal grant of 300 acres made to Edward Cox in 1810, are associated with the Fernhill Estate, which with minor differences; continued to form the land of Fernhill. To the Cox family these lands were known collectively as the 'mansion' land.²⁵

The final crisis of the early 1840s reduced the value of once prized flocks of sheep to nothing. While many of the grazing families of the day, such as Jamison of Regentville, faced financial ruin, no member of William Cox's family were forced into bankruptcy. The Cox's survived the crisis due to careful management of their estates, prudent mortgages and the family's political and social clout.

The family wealth that provided for the establishment and maintenance of these estates was based on the profits generated through exporting wool to England. William Cox had been developing his merino stud stock through the 1800s, establishing his stock with some of the merinos that came to Sydney in 1797 on the Reliance. The Cox's stocks were further improved, and the sheep were pastured, washed and shorn initially in the Valley, but increasingly after c.1830 on stations established in the new frontier lands west of the Blue

¹⁸ Mudgee Guardian, 22/11/1962

¹⁹ Land and Property Information – Old Systems Deed Bk. C, No. 106; the mortgage was discharged in July 1835 (Bk 2 No. 333)

²⁰ NSW State records, 1841 Census of New South Wales, x949

²¹ Land and Property Information – Old System Deed Bk, 21 No. 566

²² Land Property Information – Old System Deed Bk, G No. 601

²³ Land Property Information – Old System Deed Bk, S No. 953

²⁴ Land Property Information – Old System Deed Bk, S No. 952

²⁵ Society of Australian Genealogists – Will of Edward Cox, Probate No 7668, Reel 3011

Mountains. The first of these western stations was the aforementioned 2000 acres Hereford estate gifted to William Cox by Macquarie. William's sons soon followed with Henry developing pastoral stations along the Cudgegong River (the area of the township of Mudgee) consolidated round Broombee, and by 1830 George had taken up nearby Burrandaulla station.

Edward Cox developed Rawdon (also known as Dabee after a government village reserve) near Rylstone through a series of land grants totalling 9,400 acres acquired from 1825.²⁶ These out stations were used initially for pasture with stock being moved over the mountains into the Valley for washing and shearing. With improvements in transport links later in the nineteenth century, the stations developed into substantial homesteads.

The Cox family endowed the Church of England with funds and land in Mulgoa to provide for the construction of their local church, St. Thomas', which was befitting for an English country estate. Ten acres of land was donated by Edward Cox for the Church and 40 acres was donated by George Cox for the Rectory.²⁷

Mulgoa Landscape, 1830-39



Figure 3: Looking east towards St Thomas' Church. This view appears to be from Mulgoa Road with the first rectory to the left of the photo. The sketch provides an indication of the extent of clearing and the open character of the landscape at that time; [Source: National Library of Australia, Image No. nla.pic-an8421802]

The foundation of this church was laid in August 1836 by the daughter of Sir Jamison, and was completed in 1838 to designs prepared by architect James Chadley. The substantial church and glebe lands were carved out of the Coxes' Fernhill and Winbourne estates. For the education of the children of the landed families, a classical or grammar school was maintained by the church. A number of Cox family members are buried in the cemetery attached to the church, including Edward Cox and family.

The letters of Edward's brother George, of Winbourne, of this period constantly refer to money difficulties and measures required to avoid debt. Edwards wife, Jane Maria, referred

²⁶ Land and Property Information – Old Systems Deed Bk. 84 no 684

²⁷ Bowers 1911:8

to these difficulties obliquely as 'Heavy Clouds hanging about'.²⁸ In these difficult circumstances Edward and Maria collectively mortgaged the grants of 300 acres and 800 acres for £4,000 in September 1842 to a consortium of Sydney businessmen.²⁹ The extensive pastoral runs on the Cudgegong River at Rylstone were also mortgaged in July 1844 to the Australian Trust Company for £1,000.³⁰ Also in 1845, Mulgoa Cottage was put up for lease for a period of five years, presumably as another means of restraining household debt.³¹ The property was leased again from 1851 for a period of 15 years to the noted German immigrant Anschau family of vinedressers.³² The term of this lease appears to have been cut short, with Edward King Cox moving into the cottage in the mid 1850s.

Both of the aforementioned mortgages on Fernhill and Rawdon were re-financed in September 1851 with new mortgages totalling £4,000 made to John Nodes Dickenson, judge of the Supreme Court.³³ One of these mortgages was on the three parcels of land (300 acres, 468 acres, and 196 acres 14 p) that collectively formed the majority Fernhill mansion land. This mortgage was repaid in January 1856³⁴ by which time it would seem the family's financial problems had been resolved, with Cox and his son Edward King embarking on a new expansionary phase in acquiring between 1856 and 1861 numerous parcels of land in the county of Phillip (Gulgong), either for mining and/or pastoral use.³⁵ No account of the working of the estate of Fernhill during Edward Cox's proprietorship is available today, but the surviving letters of his brother, George of Winbourne, are probably indicative of the Coxes style of managing their estates and out stations.

While George managed Winbourne, his son George Henry managed their district stock-station Burrandulla at Mudgee with the flocks of sheep in the care of shepherds. As late as 1848 the sheep were moved between the properties over the Blue Mountains following the line of road laid out by William Cox to be washed on the Nepean River and shorn. Winbourne also carried crops such as wheat, corn, oats, barley and lucerne planted in the fields, together with a home garden, vineyard and orchard to produce stable foods, fruit and wine. Unlike Jamison's Regentville and other properties with frontage to the Nepean River, no industrial activity such as milling and wool manufacture were undertaken on this or other Cox land in the Valley.

Edward Cox died age 64 at Bristow Hill (or Lodge), Goulburn, the property of his second born son Richard William in May 1868.³⁶ In the last two years of Edward's life he had been a member of New South Wales Legislative council, and prior to this, between 1851 and 1855, a member of the non-elective Legislative Council. Since 1863 the management of Edward's vast pastoral interests had been the responsibility of the first born son Edward King, Edward apparently having retired at this time, living at Fernhill with his wife, sharing an annual allowance of £2,150 provided by his son generated from the family's pastoral enterprises.³⁷

Edward King Cox (1829-1883) was born at Mulgoa Cottage, the eldest son of Edward Cox and his wife Jane Maria. His second name is after James King, the manager of Mulgoa Cottage for William Cox. After attending Kings School, Parramatta Edward King was sent to

²⁸ Jane Maria wrote meagre details about Fernhill at the time in her diary; help at the Mitchell Library

²⁹ Land and Property Information – Old Systems Deed Bk 2 No. 161

³⁰ Land and Property Information – Old Systems Deed Bk 7 No. 167

³¹ Sydney Morning Herald, 7/7/1845

³² Land and Property Information – Old Systems Deed Bk 41 No. 281

³³ Land and Property Information – Old Systems Deed Bk 21 No. 557, Bk 21 No 564, Bk 21 No 565

³⁴ Land and Property Information – Old Systems Deed Bk 41 No. 489

³⁵ Land and Property Information – Old Systems Deed Bk 84 No. 684

³⁶ Sydney Morning Herald 19/5/1868

³⁷ Land and Property Information – Old Systems Deed Bk. 84 No. 684

Europe in 1852 with his brother James Charles (b. 1834) to study sheep breeding in England, France, Hungary and elsewhere. Prior to his return to Australia, in 1855, he married Millicent Anne Standish, the second daughter of Richard J.L. Standish of Gin Lodge, Tralee, County Kerry, Ireland. On their return, Edward King took on the management of the family's large sheep stations at Rawdon, Rylstone with Mulgoa Cottage as the head station. At Mulgoa Cottage were born Edward Standish (1856) and Herbert Montgomerie Standish (1859); the couple's other children were born at either Fernhill or Rawdon.

William Cox, Edward Cox and Edward King Cox



Figure 4: Edward Cox (1805 – 1868), youngest son of William Cox
Source: Mitchell Library – Small Pictures File



Figure 5: Edward King Cox (1829–1883), eldest son of Edward Cox
Source: Mitchell Library – Small Pictures File

Edward King is acknowledged 'as the great improver of Australian merino'. Edward King improved the merino stud developed by his father through introducing Silesian merino in 1856 on his return from Europe, and Tasmanian rams in 1869 after his father's death.³⁸

At Mulgoa Cottage in 1868 Edward King established a horse stud bringing together all the stud stock he had accumulated, including the sires Yattendon, Lord of Linne, Vespasian and Chandos, and later Darebin. Yattendon was the winner of the inaugural Sydney Cup of 1867, and sired two Melbourne Cup winners. Grand Flaneur was one horse that was trained at Fernhill by Edward King Cox that won the Melbourne Cup in 1880.³⁹ At this time the cottage had been leased by the Anschau family in 1851.⁴⁰

In 1874 Edward King was appointed a member of the Legislative Council to represent the pastoral interests during Sir James Martin's ministry. Like his father however, he was never active in politics.⁴¹ His wool was officially exhibited by the NSW Government at the Paris Exposition Universelle of 1878, winning the grand prize celebrated in the *Bulletin* by a jocular cartoon of Edward King as the king of wool. Edward King Cox died on 25 July 1883 at Mulgoa.

Fernhill Estate remained under the ownership of the Cox family from 1810 to 1896. It was occupied by members of the Cox family from 1810 until the death of Edward King Cox in 1883. Edward Standish Cox (son of Edward King) owned the property but never resided there. Many of the Cox family are buried at St Thomas' Church in Mulgoa. Section 3.4

³⁸ Cox and Cox 1956

³⁹ Powerhouse Museum 2010

⁴⁰ Land and Property Information – Old Systems Deed Bk. 41 No. 381

⁴¹ Sydney Morning Herald 26/7/1883

provides further details about the development of Fernhill Estate; that of the SHR listed property today.

2.4 Fernhill Estate

Edward Cox was originally granted 300 acres in 1810, which he increased in the 1830s through alienation of land owned by his brothers and father. By 1840 the landholdings of Edward Cox totalled 2,315 acres. Today, Fernhill Estate (385 hectares or 951 acres) incorporates Edward Cox's original land grant and portions of Hobby's and Slade's original grants.

The Fernhill site now includes the following land titles:

Original Cox grant lands:

2/541825
10/6105085
11/6105085

Lands added to the site:

31/237163
1/549247
1/570484
6/173159
1/260373
2/260373
3/260373
4/260373
12/615085
2/211795
?
615085

Edward Cox's land was been cleared extensively since 1810 by members of the Cox family along with their other landholdings to establish pastoral land. The first building constructed on the current Fernhill land was the stables in 1839. The stables building (still standing) housed the stonemasons whilst the house was constructed. The Cottage was the first building built on the estate dating from around 1810, however it is located on the eastern side of Mulgoa Road and is not on the current Fernhill site.

The name 'Fern Hills' seems to have been given as early as 1810. The background of the naming of the place is not known, however fern collecting was a popular pastime for the middle and upper-classes in the early 19th century.⁴³

Fernhill was the fourth and last of the Cox family homes completed in the Mulgoa Valley. The house was built for Edward Cox (1805-1868), the sixth and youngest son of William Cox and his first wife Rebecca (nee Upjohn). Edward was William and his first wife's first and only son born in Australia.

The house was completed sometime between 1842 and 1845, and while the architect is not documented, it bears features suggestive of the work of Mortimer Lewis. Lewis was government architect for 15 years and although much of his work was public buildings, he did design some private houses. The long narrow windows, door architrave and use of pilasters

⁴³ Picone and Heathcote 2002:212

at Fernhill are reminiscent of Old Customs House and Hartley Court House.⁴⁴ Stone columns at Fernhill are similarly cut to those at Camden Park, but architect John Verge was living at Dungog in 1839 and would have surely supervised the works if he drew up the plans.⁴⁵

James Broadbent in his analysis of the house design discusses both the architect and the form of the house, he confidently concludes that Lewis was the architect for the building:

“....Fernhill is of a very sober disposition, taking its role as a country house very seriously, reflecting the confidence wealth and social status of the ‘pure merino’ pastoralist who built it. Its design was only partly realized, but even in its unfinished state it is one of the grandest and most impressive country houses built in the colonial New South Wales. Lewis’s authorship of the house is most certain, but cannot be proven conclusively.

The building of Fernhill, and the landscaping of the park, was begun in the late 1830s (probably 1839), and the lintel above the entrance floor bears the date of 1842. During the years of depression building work somehow continued, but it may not have been until 1845 that Edward and Jane Maria Cox and their family removed from The Cottage to their incomplete mansion.

The design of the house had been modified from two stories to one, with a temporary wooded porte-cochere, that lasted until the 1950s, on its unfinished entrance front. Nevertheless is boasted a fine set of interiors, of which the drawing room was the most impressive, a large room approximately 32 feet (9.7 metres) long by 22 feet (6.7 metres) wide but increased by a semicircular bow 24 feet (7.3 metres) across, centered along its length set with five pairs of French doors leading into an encircling colonnade. It was finished with elaborate papier-mâché ceiling and cornice enrichments from C.F.Bielefeld in London, a decorative fountain and basin of composition stone in the centre of the bow, and, in contrast to the Grecian detailing elsewhere, an unashamedly Gothick marble chimneypiece. None of the Verge’s drawing rooms was as grand as this and only his stairhalls are more spatially impressive.

The deceptive overscaling of the exterior which, from a distance, makes the house appear far smaller than it is, and the peculiar heavy-handedness of the detailing and its almost total lack of intricacy, delicacy or subtlety – characteristic of Lewis’s public buildings – suggest the government architect as its designer but, more especially does the imposing form of the drawing room.

The house is built on a gently rising hill with panoramic views around the valley. The house appears to have been designed as a two-storey building, and the recession of the 1840s is the likely reason for its construction as a single-storey dwelling.⁴⁶ Edward Cox lived in the house with his wife Jane Maria. The sandstone was all quarried out of the property.⁴⁷

Labour was sourced from Ireland to build the house through the ‘bounty’ system of immigration, which was introduced by Governor Bourke in 1835. The government subsidised their cost of passage to Australia and they were expected to work for their sponsors for a given period of time and for the ‘usual wage’. Two stonemasons that Edward Cox imported have been identified, Thomas Brady and Michael Meally, both from County Clare. Edward

⁴⁴ Roxburgh 1975:242

⁴⁵ Cox 1972:136

⁴⁶ Roxburgh 1975:243

⁴⁷ The quarry is located below the road leading past the 1980s aviaries and workshop buildings north-west of the house; Davies 2005:88-89

Cox applied for 27 labourers in 1832 and was allotted five and again in 1833 for 27 and he was sent eight.⁴⁸ It is likely he directly imported his own labour after this time.

The immense scale of the house with its extensive basement suggest a lengthy period of construction, but presumably the idea to create a great mansion estate was formed in 1834 through the aforementioned conveyances, and it is from this period that Edward became increasingly engaged in local political affairs, being appointed a justice of the peace (1833) and he acquired membership to the Protestant Committee (1836).⁴⁹

Jane Maria later recalled that the house was completed four years after the birth of her last born child, Charlotte (b. November 1839). While the year 1842, which is carved into the lintel of the front door, is universally given in accounts of the history of the house as the date of completion, taking possession of the house may have been a drawn out affair. As late as July 1845 it was reported Cox had taken possession of a newly erected cottage on another part of Fernhill.⁵⁰

Rachel Roxburgh described the house as having originally been approached by a drive with the eastern elevation having classical severity. The house has a foundation of three 'sparrow-picked' courses with one course of 'combing' that is finely jointed. The garden elevation has a little round pointed roof that does "not match the dignity of the magnificent colonnade below".⁵¹

Along the driveway approach to the house a pond was built to reflect the image of the house.⁵² Ornamental lakes or ponds were popular to provide a mirror reflecting important elements and were mostly small scale in domestic gardens. Plants were used around the edge of the ponds to breakup the waterline and disguise the seasonal changes in the water levels.⁵³

With the completion of Fernhill house, circumstantial evidence suggests the intensive agricultural activities and settlement were confined to the estate lands east of Mulgoa Road centred on Mulgoa Cottage, and Fernhill was reserved as the family residence; the family distinguishing the 'mansion house of Fernhill' from Mulgoa Cottage.⁵⁴

In the late 1840s the estate was praised by Governor Fitzroy's aide-de-camp, Colonel Godfrey Mundy, for the way in which its landscape had been developed. While the 'parkish' landscaping of the Fernhill Estate is referred to in Mundy's account, the various wills of Edward Cox and his immediate family reveal the estate also stocked fallow deer and other game animals and birds 'the enclosed park'.⁵⁵

Fernhill Estate was described in *Our Antipodes* of Colonel Godfrey's account of his visit to Australia in 1852:⁵⁶

A handsome stone house overlooks by far the most lovely and extensive landscape – as a home view – I ever met with in Australia: and its beauty is much enhanced by the taste and success of the proprietor in weeding out the thinly

⁴⁸ Roxburgh 1975:242

⁴⁹ Index to the Australian 1824-1842 unpublished ms guide in Mitchell Library, Sydney

⁵⁰ Sydney Morning Herald, 7/7/1845

⁵¹ Roxburgh 1975:243

⁵² This reflecting pond is still a feature on the property near the 1980s stables complex, however it has been partially hidden by vegetation planted since the early 1980s

⁵³ Burton 2002:352

⁵⁴ Society of Australian Genealogists – Will of Edward King Cox, Probate 9288, SAG Reel 3025

⁵⁵ Society of Australian Genealogists – Will of Edward King Cox, Probate 7668, SAG Reel 3011

⁵⁶ National Trust of Australia (NSW) – The cottage Mulgoa Listing Card

leafed and unsightly kinds of the gum-tree and preserving only that species of eucalyptus called the apple-tree, which, with its stout gnarled branches and crisp tufted foliage, is, when standing alone or in clumps on parkish looking ground, by no means a bad representative of the English oak... a stranger might imagine himself at the country-house of some substantial English squire ...there is a unity of homelike landscape unlike anything else of its kind I have met with out of England.

The landscaping of Fernhill Estate in the 1840s and 1850s bears close similarities with the landscaping principles advocated by Thomas Shepherd. Shepherd (1779-1835) was a Scottish born and trained landscape gardener who migrated to Australia in 1827. He established the colony's first nursery and published the colony's first books on garden design. He considered a solution to the problems associated with the colonial landscape was discriminative thinning of the native forest and planting with natives. He believed the clearing and beautification of mansion grounds would improve the monetary value of the estate in the long term.

Edward King Cox inherited Fernhill Estate in 1868 on the death of his father, Edward.

In the 1860s a visitor to Glenmore commented that Fernhill Estate was a "modern mansion situated on high ground, with well kept shrubbery, lawns and vineyard".⁵⁷ As the owners of Fernhill and Glenmore were relatives, St Thomas' Church, located between the properties provided picturesque views. Figure 6 depicts the south elevation of Fernhill house and part of its garden landscape in the mid 19th century.

Following his father's death in 1868, Edward King reorganised the Fernhill Estate to concentrate on breeding of blood horses and shorthorn cattle.

Edward King died at Fernhill in July 1883. On probate his estate (over 2300 acres) was valued at £95,572. Under the terms of his will, the Fernhill Estate was broken up between his two eldest sons. The area west of Mulgoa Road was inherited by Edward Standish Cox, which is Fernhill Estate. The area east of Mulgoa Road was inherited by Montgomerie Standish Cox, part of which is now Mulgoa Cottage. At this time Mulgoa Road was referred to as the 'Road from Glenmore to Winbourne', suggesting it was a private road. Edward Standish Cox owned Fernhill Estate until 1896. Edward King's widow, Millicent, received 'Rebeah' at Mount Wilson.⁵⁸

The death of Edward King in 1883 brought to an end the era of the Cox family's continuous occupancy at Fernhill. Edward Standish's primary place of abode was 'Fernside' at Rylstone where he also managed the longstanding Cox property 'Rawdon',⁵⁹ and it would seem he never resided at Fernhill for any length of time. On Edward King's death the furnishings of the house were removed,⁶⁰ and the prize thoroughbred horse stud was disbanded and sold in April 1885.⁶¹

Under the terms of the agreement made in 1863 between Edward Cox and Edward King Cox, Edwards widow Jane Maria was permitted to reside at Fernhill for life on an allowance of £1,100. Jane Maria was at Fernhill at the time of her son's death in 1883,⁶² and returned

⁵⁷ Lambert 1890

⁵⁸ Society of Australian Genealogists – Will of Edward King Cox, Probate 9288, SAG Reel 3025

⁵⁹ Mudgee Guardian, 4/8/1918

⁶⁰ Land and Property Information – RPA no.14683, lodged by Henry James Bell, 21st January 1907. Statutory Declaration by Richard Baynes

⁶¹ Clibborn, T.S. *Catalogue of the Fernhill Stud.*-1/4/1885

⁶² Sydney Morning Herald, 26/7/1883

to Fernhill prior to her death in April 1888. In the interim, she resided for periods at Bristow Lodge in Goulburn. On her return to Fernhill from Goulburn she brought some of her furnishings.⁶³ The property was eventually placed on the market immediately after the death of Jane Maria, as in August 1888, Mr Wright of Wright Heaton was reported to have shown an interest in acquiring the property.⁶⁴

In March 1888, shortly before the death of his mother, Edward Standish in conjunction with his brothers Herbert Montgomerie and Alfred (1864-1938) mortgaged the estates of Fernhill and Mulgoa Cottage to the commercial Banking Company of Sydney for £25,000.⁶⁵ In the following September, the mortgage was reassigned to the new Oriental Bank for and increased sum of £35,399.⁶⁶ On the repayment of the loan in March 1889,⁶⁷ Edward Standish entered into a new mortgage on his Fernhill estate for £6,000.⁶⁸ This mortgage was advanced by Walter Lamb, the director of the Commercial Banking Company, and Robert Jones Mackenzie. Both men were related to the Cox family. For a period after Jane Maria Cox's death in 1888, Fernhill had been evidently been left vacant while Edward Standish sought a buyer for the estate.

The timing of these mortgages coincides with an ambitious scheme to irrigate the Mulgoa Valley with water sourced from Warragamba River. The scheme was promoted by George Chaffey, the Californian irrigator who had successfully completed the irrigation scheme in Mildura, Henry Gorman of Gorman and Hardie, estate agent and property speculator, and probably also Arthur Winbourne Stephen of Mulgoa. Stephen was a nephew of George Henry Cox of Winbourne. With the coming of the railway to Penrith in 1863 and the onset of Fungal disease destroying grain crops, the rural economy of the Mulgoa Valley in the second half of the nineteenth century had gradually shifted to fruit growing and dairying. With the proximity to the Nepean and Warragamba Rivers, irrigation was seen as a means of advancing development in the Valley. The depression years made the irrigation scheme at Mulgoa untenable and only a few irrigation channels and dams remain.⁶⁹

The private parliamentary authorising act for the irrigation scheme, the *Mulgoa Irrigation Act*, was passed in December 1890. This permitted the promoters to acquire land, erect plant, and use and distribute waters of the Warragamba River through to South Creek as far north as St. Marys. The proposal was contemporary with the Wentworth Irrigation Scheme. An area of 18,610 acres was proposed to be acquired and subdivided into orchard and township lots.⁷⁰ This substantial area of land at the time was held by only seven owners including the pioneer Cox, Cooper, King and Wentworth families. The land was tenanted by about 300 people and it was hoped closer settlement would dramatically increase this number. Based on Chaffey's American irrigation developments, George Reid, MLA, who enthusiastically supported the scheme, believed the population could increase up to 15,000. This scheme was revived in 1897 and again in 1904.⁷¹

⁶³ Society of Australian Genealogists – Will of Jane Maria Cox, Probate No. 16994, Reel 3033

⁶⁴ The Nepean Times, 11th August 1888

⁶⁵ Land and Property Information – Old Systems Deed Bk. 398 No.297

⁶⁶ Land and Property Information – Old Systems Deed Bk. 398 No.298

⁶⁷ Land and Property Information – Old Systems Deed Bk. 411 No.35

⁶⁸ Land and Property Information – Old Systems Deed Bk. 411 No.36

⁶⁹ Nepean District Historical Society 1997:49

⁷⁰ Watson, J.H., Mulgoa and Wallacia Newspaper Clippings, Mitchell Library

⁷¹ NSW Parliamentary Debates, Legislative Assembly 1890, Vol. 50, p.6103



Figure 6: Sketch of Fernhill, mid 19th century Source: Mitchell Library, Valerie Cox Papers

Edward Standish Cox's Fernhill was affected by the irrigation scheme,⁷² and it would seem that Cox entered into a contract with the promoters to sell the estate, in contrast to the other affected land holders who had simply placed their land under offer.⁷³ Cox's sale agreement was signed by Arthur Winbourn Stephen and was registered by the registrar General in September 1891; the sale price was £8,300.⁷⁴

After some construction the irrigation scheme collapsed in 1893 at the time of recessions brought about by the banking crisis,⁷⁵ along with any hope Edward Standish had of disposing of the property. Figure 7 is a map of the Municipal District of Mulgoa, prepared in 1894, shortly after the foundation of the Mulgoa Municipal Council.

In May 1896, the mortgage Edward Standish had entered into in 1889 over Fernhill was transferred to Frederick Thomas Humphery and Edward Perry Simpson.⁷⁶ The transfer was part of a raft of Trusteeships and mortgage disinvested by Walter Lamb at this time.⁷⁷ Humphery (1841-1908) was a member of the Legislative Council (appointed 1887) and also carried on numerous business activities including official assignee of insolvent estates. Humphery was more than familiar with the Mulgoa irrigation scheme in having presented the private bill to parliament on behalf of promoters⁷⁸ and was chairman of the select committee of the Legislative Council appointed into the bill.⁷⁹

⁷² *Mulgoa Irrigation Act*, 1890, Schedule 2, New South Wales Government Gazette, 29/12/1890, p.9869

⁷³ Minutes of evidence taken before the Select Committee on the Mulgoa Irrigation Bill, Votes and Proceedings of the Legislative Council of New South Wales, 1890, Vol. 47, p.1493

⁷⁴ Land and Property Information – Old Systems Deed Bk 477 No. 873

⁷⁵ Watson, J.H., *Mulgoa and Wallacia Newspaper Clippings*, Mitchell Library

⁷⁶ Land and Property Information – Old Systems Deed Bk 585 No.995

⁷⁷ Land and Property Information – Old Systems Purchasers Index

⁷⁸ NSW Parliamentary Debates, Legislative Assembly 1890, Vol. 50, p.6103

⁷⁹ Minutes of evidence taken before the Select Committee on the Mulgoa Irrigation Bill, Votes and Proceedings of the Legislative Council of New South Wales, 1890, Vol. 47, p.1493

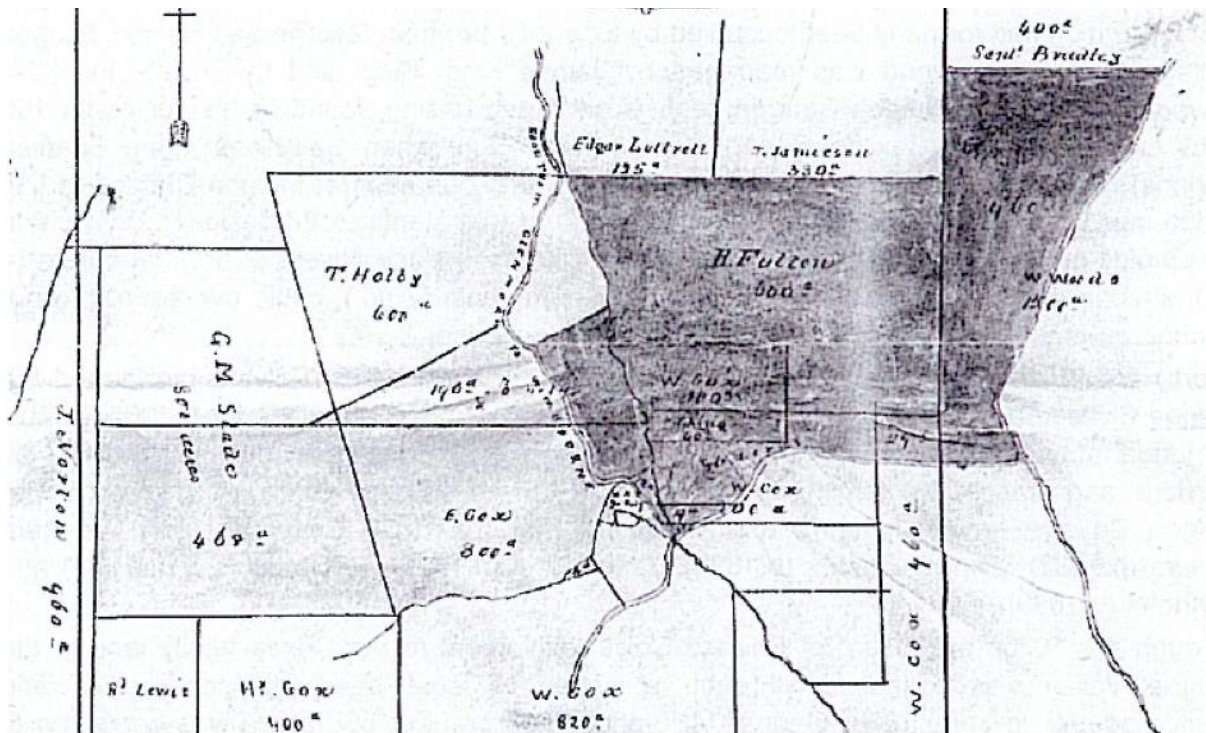


Figure 7: Extent of Fernhill Estate, c. 1868 Source: Land and Property Information, Old System Deed Book 106, No. 703

The relationship between Edward Standish and Humphery is not clear, but in consequences of Cox defaulting on the mortgage in 1896, Humphery and Simpson entered into possession of the property.⁸⁰ Why Edward Standish allowed the property to be acquired in this manner is unclear, but the decision may have been related to factors such as changing social and economic conditions of the day where the large houses and estates of the 19th century were becoming increasingly unfashionable and expensive to maintain. Edward Standish's cousin, George Henry, for instance sold the neighbouring Winbourne estate in 1901. On the foreclosure of mortgage in 1896 the new owners installed a tenant.⁸¹ It is possible that this tenant was Celestino Vassella who is listed in Hall's Directory of 1895 as a farmer of Fernhill.⁸² Fernhill Estate was owned by Humphrey and Simpson from 1896 to 1906. By 1900, Mr Moorehead was the occupant.⁸³

⁸⁰ Land and Property Information – RPA no. 14683, Lodged by Henry James Bell, 21st January 1907. Statutory Declaration by P. Simpson

⁸¹ Land and Property Information – RPA no. 14683, lodged by Henry James Bell, 21st January 1907. Statutory Declaration by P. Simpson

⁸² Hall's mercantile agency, country directory of New South Wales, 1895

⁸³ Notation on survey of neighbouring Winbourne completed in 1900. Land and Property Information – DP 58854, Sheet 2. This may have been either James or John Moorehead who are listed in the NSW Electoral Roll for 1899 as residence of Greendale, Mulgoa. The Mooreheads are not listed in the Commonwealth Electoral Roll for 1903



Figure 8: Fernhill landscape and stables, 1906 Source: Arthur Wigram Allen, Photographic Collection, Mitchell Library, Vol. 36, pp.39-40 PX* D578

Figure 8 illustrates Fernhill's landscaping around the house in 1906, which shows predominantly native trees and a post and rail fence. The landscaper at this point had matured in this part of the estate and was quite dense. Figure 9 shows an enclosed room along the eastern skillion roof of the 1830s stables (since removed).

Henry James Bell owned Fernhill Estate from 1906 to 1924. In the early years of the 19th century the house was tenanted by Richard Beindge Baynes and his family (c 1900 - 1926).⁸⁴

Fernhill was brought under the provisions of the Real Property Act on 21 January 1907, the applicant being Henry James Bell, with a surveyed area was 957 acres 26 perches (figure 10 below). The Torrens Title was issued to Bell on 23 May 1908.

Baynes was well acquainted with Edward Standish Cox and the Fernhill Estate, having visited the house to arrange for the sale of the furniture on the death of Edward King Cox.⁸⁵ Baynes was a long serving alderman with the Municipality of Mulgoa, serving as Mayor from 1909 to 1912. He also was an alderman for the Shire of Nepean. He was the son of Colonel Baynes of the NSW military forces. Baynes and his wife were evidently well connected with Sydney society.

⁸⁴ In Baynes evidence in 1904 committee on the Mulgoa-Liverpool railway he stated he has resided at Mulgoa from 1895. Parliamentary Standing Committee on Public Works. Railway from Liverpool to Mulgoa Report. Votes and Proceedings of the Legislative Council of New South Wales, Vol. 3, p.1073

⁸⁵ Land and Property Information – RPA no. 14683, lodged by Henry James Bell, 21st January 1907. Statutory Declaration by Baynes

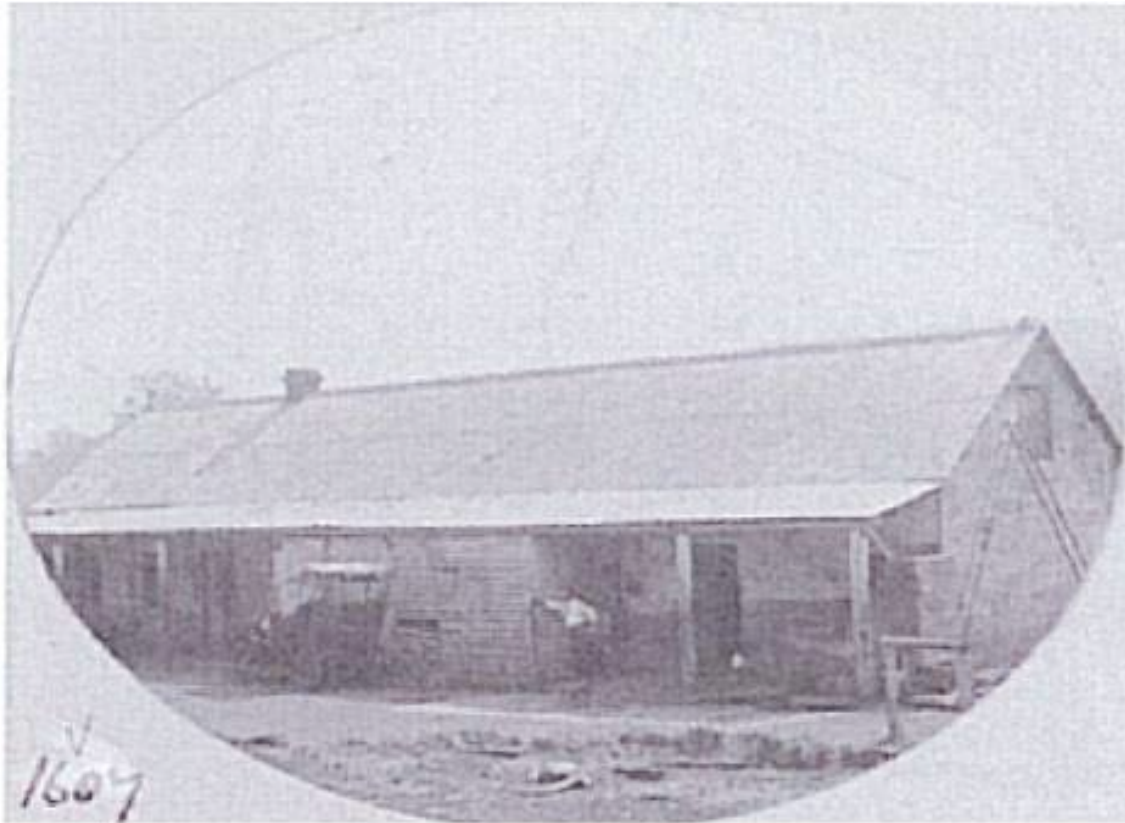


Figure 9: An early photo of the stables, note the narrow verandah on bush posts and the timber enclosure of part of the verandah, also note the hay loft in the gable end. Source: Arthur Wigram Allen, Photographic Collection, Mitchell Library, Vol. 36, pp.39-40 PX* D578

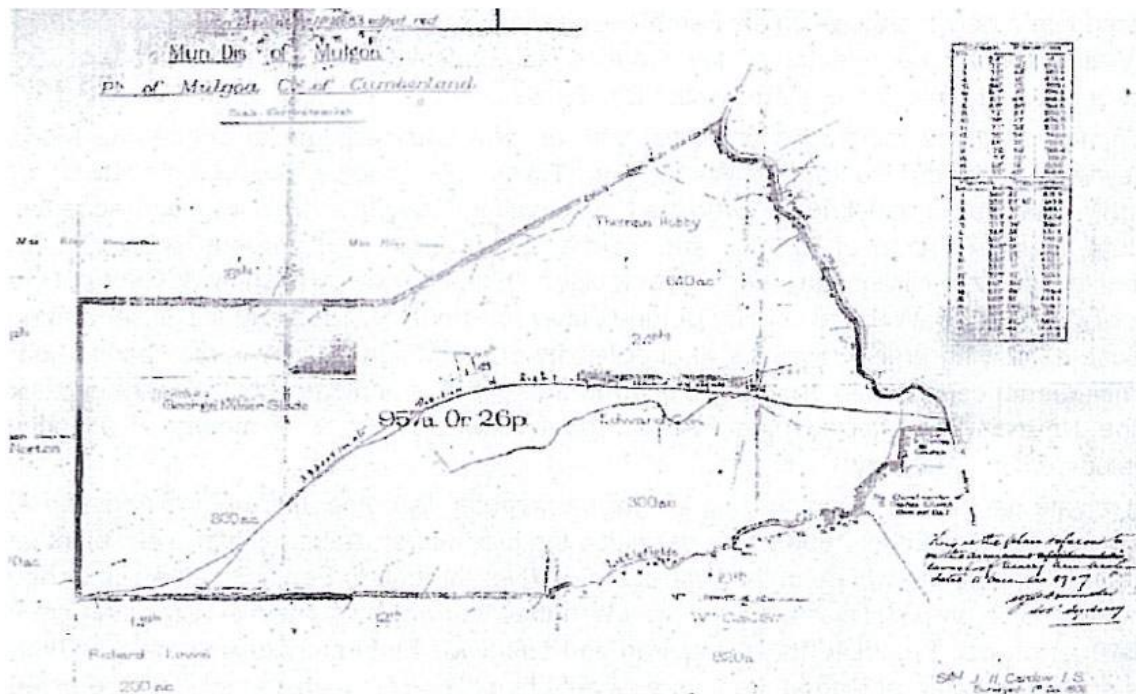


Figure 10: Survey of Fernhill Estate, 1906 Prepared by Surveyor J.H. Cardew on 1 December 1906 for the purpose of bringing the land under the provisions of the Real Property Act; Plan shows Littlefield's and Mulgoa Creek lines, and the outline of the house, stable and surrounding fence lines

Source: Land and Property Information – Primary Application Deed Packet No. 14683

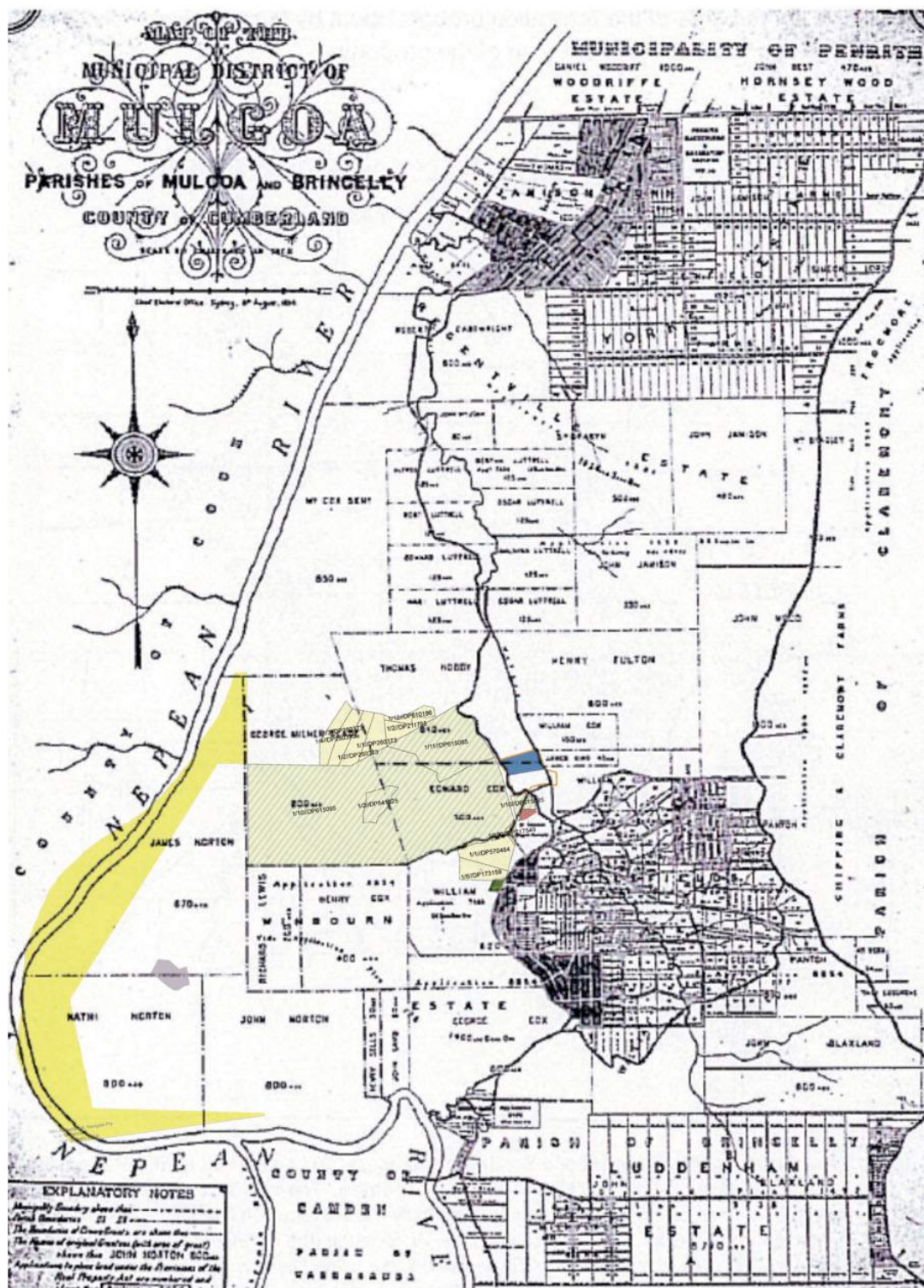


Figure 11: Map of Mulgoa District overlaid with current heritage listing boundaries. The map highlights the extent of residential and small farm subdivision following the inauguration of the irrigation scheme; Source of base map: Mitchell Library, Chief Electoral Office.



Figure 12: Porte-cochere at Fernhill, 1906 Photograph shows Baynes and his ten year old son George at the porte-cochere

Source: Mitchell Library, Arthur Wigram Allen, Photographic Album, Vol.36, p.39-40 PX*D578

Baynes' use of Fernhill was marginal to say the least. In evidence presented to a parliamentary standing committee on public works in 1904, Baynes stated he occupied the 1000 acres of Fernhill of which about 700 acres was available for pastoral uses, the remainder consisted of 'rock and mountain'. Baynes' principal use of the arable land were grazing and growing crops for family use.⁸⁶

Arthur Wigram Allen was a gifted amateur photographer who motored down to Fernhill in January 1906 for lunch. He recorded the visit with a number of photographs now held by the

⁸⁶ Parliamentary Standing Committee on Public Works. Railway from Liverpool to Mulgoa, Report. Votes and Proceedings of the Legislative Council of New South Wales, Vol. 3, p.1073

Mitchell library. These photographs are invaluable in regard to the information conveyed about the early appearance of the house and landscaping of the estate.⁸⁷ Figure 44 shows the dilapidated condition of the porte-cochere on the east elevation of the house (removed soon after this photograph was taken) and a range of trees planted in the surrounding house garden. Throughout the 19th century, as garden labour became increasingly expensive, the gardenesque style became popular with gardens only in the area at the front of the house and/or a rose garden.⁸⁸ The figure below is a partial plan of Fernhill and some of its architectural detailing on the southern elevation dated 1919. Figure 14 is a photograph of the same elevation looking east towards Mulgoa Cottage and St Thomas' Church (which is now partly obscured by tall trees and changed landforms) taken in 1920.

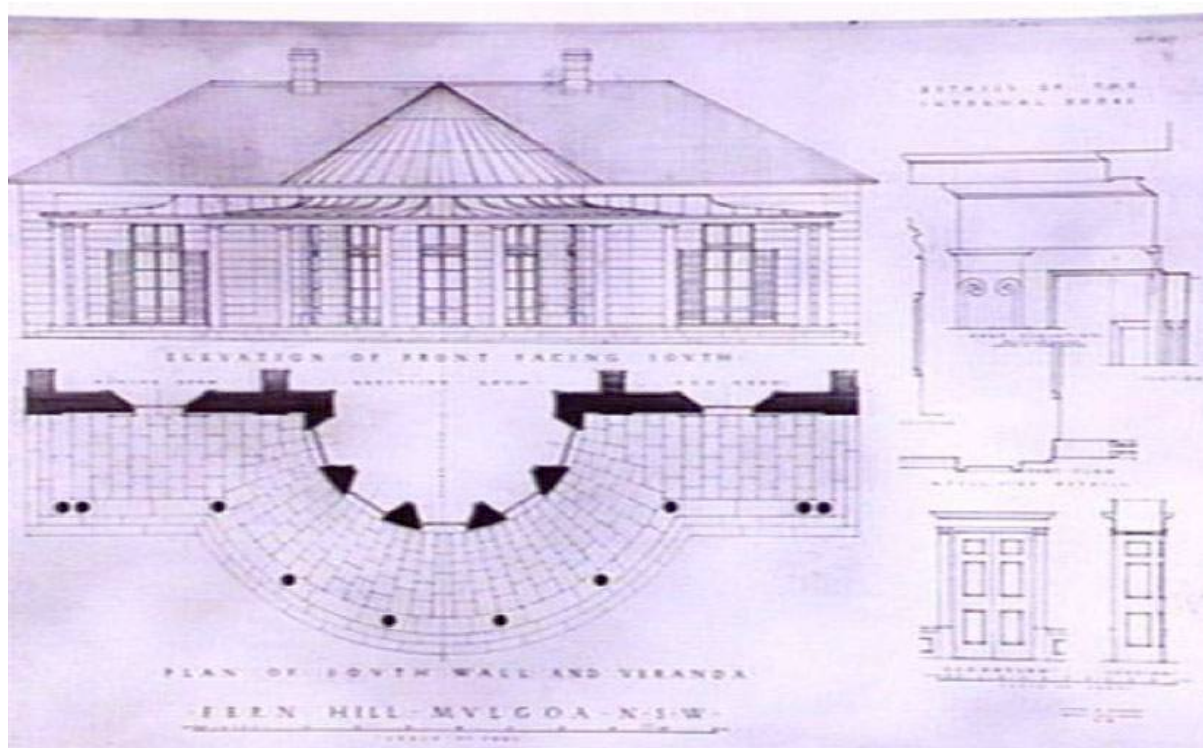


Figure 13: Plan of Fernhill south wall and verandah, 1919 Source: National Library of Australia, Picture No. nla.pic-an2815617

From 1924, toward the end of the Baynes' period of occupancy, the property was under mortgage to the Australian Provincial Assurance Association Ltd.⁸⁹ Baynes' wife Annie Augusta acquired ownership of the property in 1924.⁹⁰ Baynes sold the property in 1930 but the family did not reside in it for the entire time of their ownership. Annie Augusta was the daughter of Henry James Bell, grazier of Goulburn who had acquired Fernhill in August 1906 from Humphrey and Simpson for £3,000,⁹¹ a knock down price considering the property was valued at £8,300 in 1891 and later the collateral for a mortgage of £6,000. The discount is probably accounted by Humphrey's daughter, Laura Godfrey, being Henry James Bell's wife (m. 1880) and Annie's mother.⁹²

⁸⁷ Mitchell Library – Allen, Arthur Wigram, Photographic Album, Vol. 36, pp.39-40 PX*D578

⁸⁸ Tanner and Begg 1983:33

⁸⁹ Land and Property Information – Torrens Title Register Vol. 1878 Fol.46

⁹⁰ Land and Property Information – Torrens Title Register Vol. 1878 Fol.46

⁹¹ Land and Property Information – RPA no. 14683, lodged by Henry James Bell, 21st January 1907.

⁹² New South Wales Registry of Births, Deaths and Marriages



Figure 14: Fernhill, note the gravelled edge, the mature Hoop Pine above the house and the Bunya Pine to the right at this time. 1920 Source: Perier Collection, State Library of NSW

Baynes and family left Fernhill about 1926⁹³ and for a period in the late 1920s the property was run as a boarding house.⁹⁴ In this use the house was visited by James Fairfax in preparation for his Historic Roads Round Sydney which was published in 1931. Fairfax described the visit in the following manner:

Cedar was used with a lavish hand; even unto the linen cupboards. Some mantelpieces are made from stone quarried in Winbourne, in England; others are of a black Bulgarian marble (sic). The kitchen is in keeping with the grandeur of the house, and big enough to have dealt with the demands of that grandeur. Four fireplaces are ranged along the wall, the ceiling is V-shaped and blackened with the smoke of many fires.

Outside we were shown various things of interest, notably the view, which is splendid. In the old days the park must have been a pleasant sight with deer grazing peacefully in pastures green. We saw home-made wire-netting enclosing the huge well which supplied the house, the remains of an old wine press, and a red kurrajong-tree which could be seen from a distance of five miles when in flower. The cellars are tremendous.

⁹³ Sands Sydney and Country Directory

⁹⁴ Unfortunately neither the Commonwealth electoral rolls and Sands Sydney and Country Directory identify the occupant of Fernhill

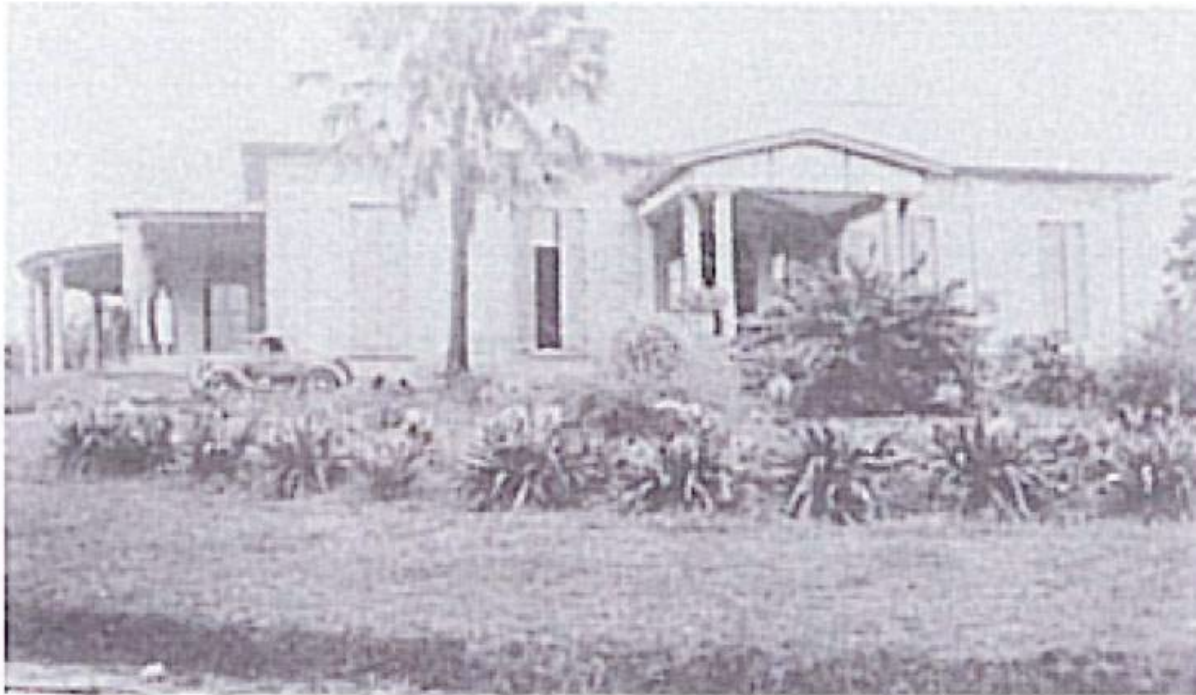


Figure 15: Fernhill, late 1920s. The porte-cochere has altered since the earlier photo as the gable and upper structure is here clad in AC sheet with battens, indicating the earlier detailed timber structure was failing. Note the cabbage tree palm (*Livistona australis*) in the carriage loop. Source: Private Collection

The figure above illustrates the landscaping around the carriage loop east of the house in the late 1920s that includes agapanthus.

The Fairfax visit to Fernhill is representative of broader social changes being experienced in Sydney in the 1920s with improved transport links and increasing leisure time fostering the development of holiday resorts such as the Blue Mountains and the Jenolan Caves. In the Mulgoa Valley, George Cox's old residence Winbourne operated as a leisure resort until it burnt down in 1920s, and Henry Cox's Glenmore was developed as golf links in the 1930s, becoming in 1937 the Glenmore Country Club. The attractions of the valley which encouraged this development included its high scenic values and the picturesque old homesteads and church, which were compared favourably with 'the choicest scenery of England'.⁹⁵ The area was also readily accessible from Sydney by the railway to Penrith.

With the onset of the financial depression in 1930 the Baynes' mortgage was called-in and the property was transferred to Hilda Mary Moyes (nee Bonner), the wife of George Sydney Moyes (b.1893) of Bellevue Hill. The Moyes had married in 1926 and presumably set on Fernhill as their family home. Moyes is described in electoral rolls of the 1930s and 1950s as a grazier resident at Fernhill⁹⁶ and evidently ran Fernhill as a pastoral concern, but perhaps in the marginal manner practiced by Baynes. It has been suggested that Moyes was related to John Stoward Moyes, Bishop of Armidale, but this does not seem to have been the case.⁹⁷

Figure 16 shows the eastern elevation of the house with the porte-cochere and driveway loop in 1938 (both since removed).

⁹⁵ Freame, W.H.G. *Mulgoa and the Cox Family*, Press Contributions, Vol.3, p.25

⁹⁶ Commonwealth Electoral Roll – Macquarie Division – Penrith Polling Place, 1934 & 1938, Macarthur Division – Penrith Polling Place, 1950 and 1955

⁹⁷ Per com. Darling 3/03, Pike, Douglas (general ed.), *Australian Dictionary of Biography*, Melbourne University Press, Melbourne re Moyes



Figure 16: Fernhill, 1938 Celebrating the centenary of St. Thomas' Church of England; Source: Penrith City Council 2010b

The first excursion of the Nepean District Historical Society in 1947 was to Fernhill and members paid 1 shilling each to look over the house with the profits going to the 'Flood for Britain Fund'.⁹⁸



Figure 17: Detail of garden area around house Source: Land and Property Management Authority 1947

⁹⁸ Nepean District Historical Society 1997:49

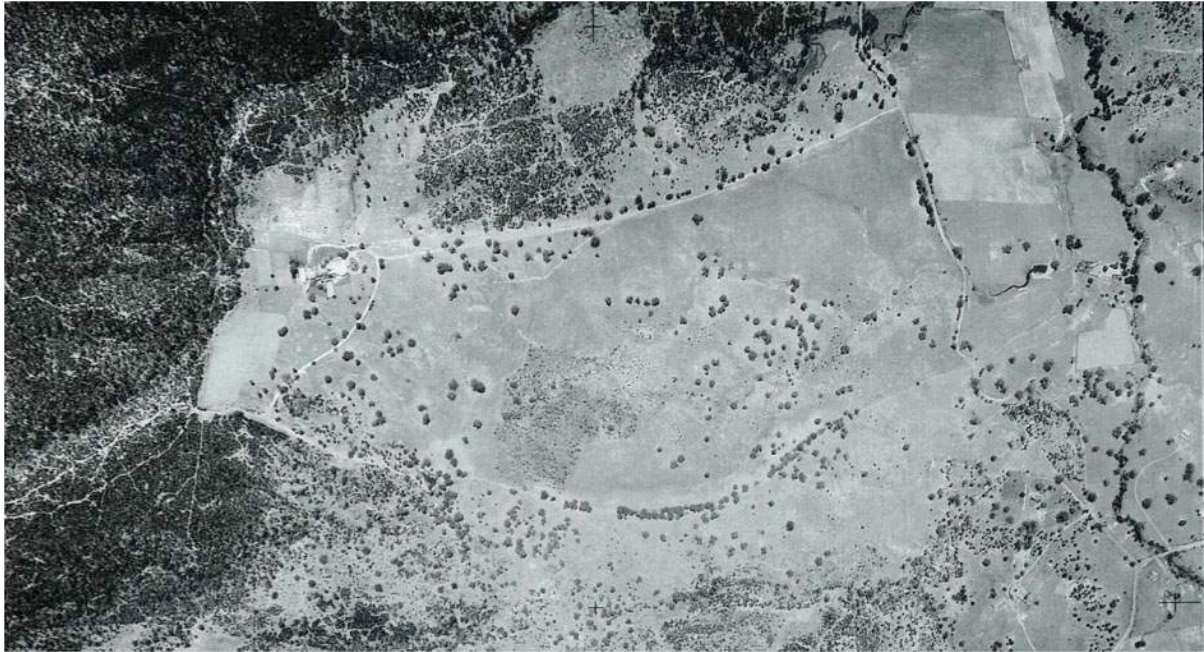


Figure 18: Fernhill aerial view, 1947 Fernhill Estate (above) showing original alignment of Mulgoa Road and relationship to St Thomas' Church and Cox's Cottage

Interior of kitchen in north wing, c. 1930s and 1950s

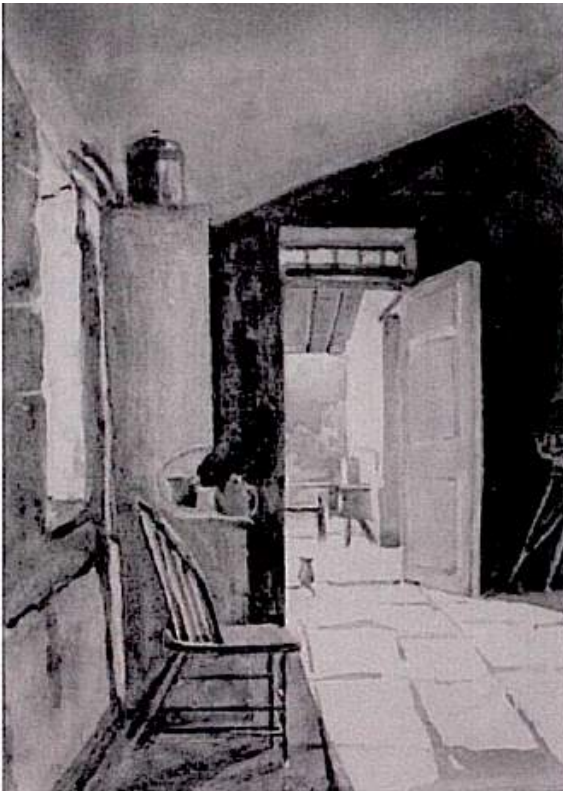


Figure 19: Watercolour of kitchen interior, c. 1930s
Source: Mitchell Library, Valerie Cox Papers

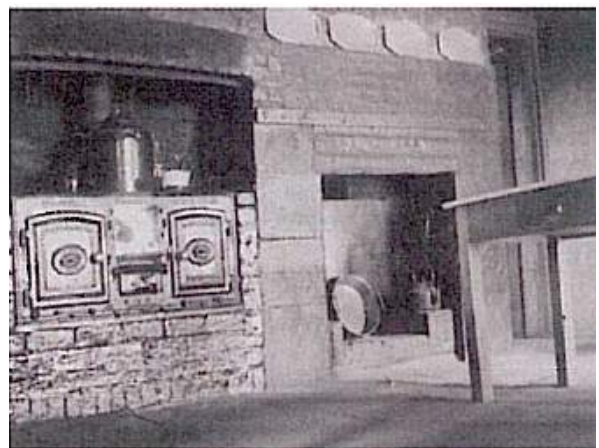


Figure 20: Photograph of kitchen interior, c. 1950s
Source: Private Collection

Figure 17 is an aerial photograph of the property in January 1947 before the alignment of Mulgoa Road was changed two years later. The main buildings on the site are that of the house and stables. The carriage loop off the east side of the house is discernable, as is the

original alignment of the driveway from Mulgoa Road, although the apple trees do not line the extent of the drive. In this early aerial photograph, what is now the 'trades' road to the house, which runs almost due east of the house, also lined with trees is present.

The kitchen was located in the north wing of the house until the 1980s. The figures below show the kitchen in the 1930s and 1950s. Writing on the iron oven and hob's left door says 'Columbian'. At the time the floor was sandstone flagging.

A portion of the Fernhill Estate was resumed by the Department of Main Roads in 1949 for the realignment of Mulgoa Road. From the 1950s a portion of the Fernhill Estate has been located on the eastern side of Mulgoa Road and western side of St Thomas Road (the original Mulgoa Road alignment). The change separated the Church from the grounds of Fernhill. The road construction required large areas of fill and new entry points to these properties.

In July 1953 the Water Board placed an easement across the western portion of Fernhill for the overhead ropeway used in the Warragamba Dam construction. The right of easement was released in May 1967. In April 1961 the Electricity Commission of NSW placed an easement adjacent to the Water Board easement and added an electricity transmission line.

Fernhill, 1950s



Figure 21: Photograph of Fernhill in the 1950s is of western area of the rear courtyard, which was later redeveloped; Source: Private Collection

John Darling's recollection of the house in the mid 1950s indicates the property and house were poorly managed and maintained under Moyes and the good work entered into by Baynes and recorded for posterity by W. Hardy Wilson in 1919 gradually had been left to ruin either through lack of finance or interest. At the time of Darling's visit to the house in the mid 1950s the Moyes' lived in the eastern most rooms of the house, leaving the main living rooms and basement vacant and abandoning the southern service wing to errant cattle.

Cognisant of the history of the house however Moyes charged an admission fee of 2 shillings for the visits.⁹⁹

In 1955, Fernhill was purchased for £22,500 by Moorilla Pty Ltd.,¹⁰⁰ a company that came to own the Fernhill Pastoral Company. Both companies were owned by John Darling. Darling (b. 1923) is a member of a prominent Victorian flour milling family, and at the time of the Fernhill acquisition was an influential merchant banker in Sydney. Darling was well connected with Sydney's business community and his association with and vision for Fernhill was soon noted in the establishment periodical *The Bulletin* in 1958.¹⁰¹

When the Darlings moved into Fernhill there was a timber structure supporting the reflection pool along the driveway and the only dams were the reflecting pool and one in the north-east corner of the property. The house garden had almost completely disappeared with only a few mature trees remaining, the northern driveway was used in favour to the southern or main driveway, and direct view lines existed from Fernhill to St Thomas' Church and Rectory (now demolished) and to Cox's Cottage.¹⁰²

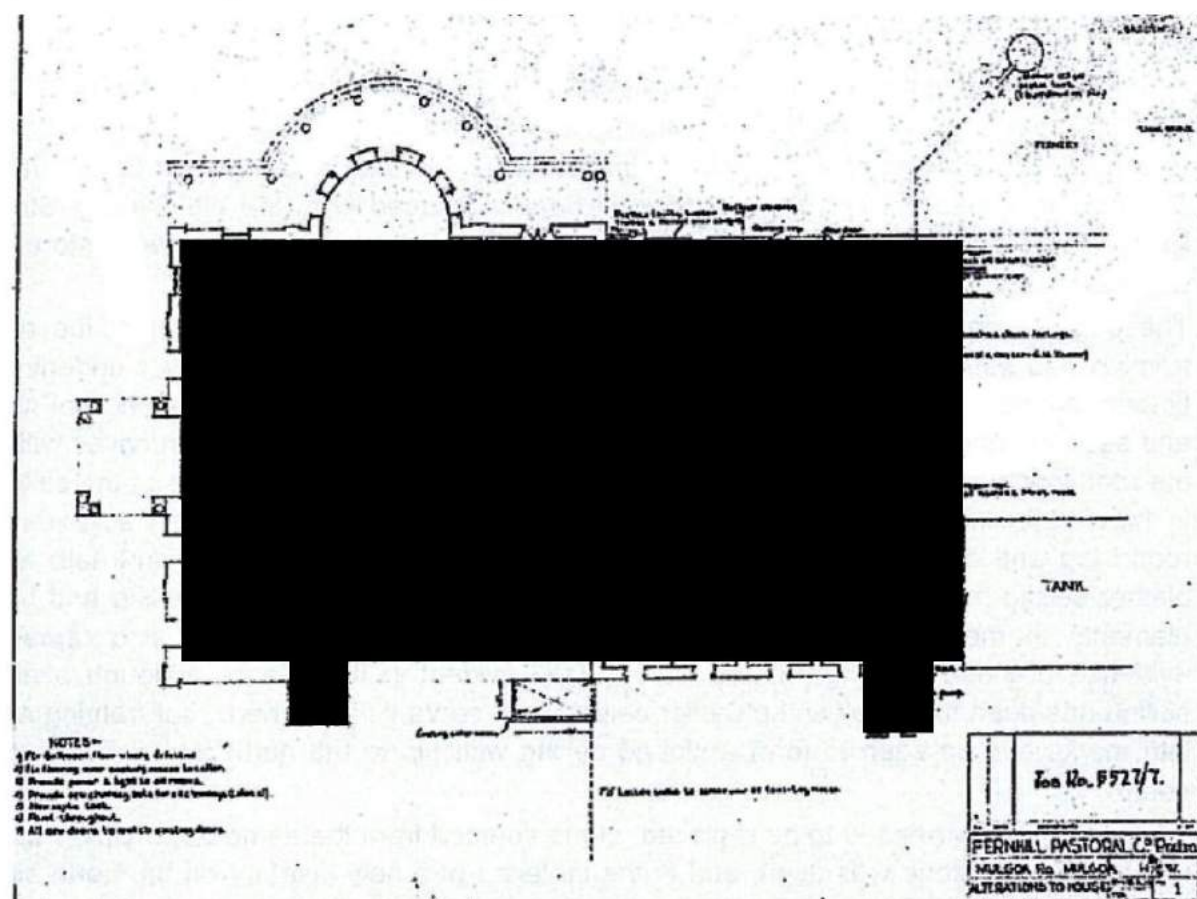


Figure 22: Plan of alterations to west wings of house. The work included adding an en-suite bathroom and hall to the east bedrooms, internal alterations to the south rear wing, adding a bathroom to the north rear wing and removing an external laundry addition, 1958. Source: PTW Architects, Drawing No. 5527/7

⁹⁹ Per com, Darling, 3/03

¹⁰⁰ Land and property Information – Torrens Title Register Vol. 4423 Fol. 49 and Sydney Morning Herald, 28/9/1991

¹⁰¹ The Bulletin, 10/12/1958

¹⁰² Darling pers. comm. 2003. It is however noted that given the topography of the land between the buildings that the view of Cox's Cottage, which is oriented away from Fernhill and set below the ridgeline of a small hill, would appear to be very difficult to see from Fernhill even if there was no vegetation between the buildings.

In the late 1950s the Darlings built several new dams on the property for spray irrigation, the driveway entry was realigned from the new Mulgoa Road alignment, and shade trees were planted along the northern drive, along Mulgoa Road and in clusters through the property but particularly to the east.

The Darlings' restoration of Fernhill commenced in the late 1950s with the architectural work being undertaken by the architectural practice of Peddle Thorp and Walker (Figure below). Riddled with white ants, and evidently with its roof having been exposed to the elements for some time, most of the floor structure and the ceiling linings and structure were replaced. The electricity service was upgraded and a sewage (septic) service was installed for the first time.¹⁰³ The initial phase of this restoration work was completed in early 1963 partially using materials recovered from historic nineteenth century buildings demolished around Sydney at this time. One source of materials was the old Goldsborough Mort wool store at Circular Quay, that Peddle Thorp and Walker were redeveloping for the AMP office tower. Another source was the old Union Club building, formerly part of the townhouse of Robert Campbell, located in Bligh Street.¹⁰⁴ It is likely that the present floor structure was recovered from the woolstores.

Around 1960 four students from the School of Architecture at the University of NSW visited Fernhill and undertook a study.¹⁰⁵ Several photographs and plans from this study assist in understanding what the landscape and house looked like at that time. Aspects to note in these figures include:

- the porte-cochere and carriage loop were present on the east elevation;
- the location of the underground water reservoir off the west elevation was evident without its present concrete cover;
- there is a lack of formal gardens east, south and north of the house (refer figures 44-45);
- a kitchen garden is present west of the internal courtyard;
- there are some very substantial trees around the house (refer to figures 26-30);
- there is a clear fence line extending from the rear of the house to the stables;
- rooms in the south wing were separate servants rooms with access from the verandah;
- there is a detached cess pit west of the servants wing (now built over with the laundry);
- the kitchen was located in the north wing;
- the master bedroom was much smaller than it is today, the original sitting room being divided into two bedrooms;
- the coal chute remained open with access to two separate basement areas;
- the guests bedroom was only accessed off the northern verandah;
- the nurse's bedroom was located between the girl's and boy's bedrooms, they all faced the north service verandah with its then open coal chute;
- the dining room had internal walls to form a scullery and linen cupboard;
- in the basement the only rooms that were paved were the two wine cellars and three kitchen cellars with the rest of the rooms having a dirt or gravel floor;
- the laundry was located in the externally accessed north-west corner of the basement;
- the buildings had corrugated iron roofs;

¹⁰³ Sydney Morning Herald, 5/10/1980

¹⁰⁴ Woman's Day, 15 October 1962

¹⁰⁵ Hanly *et al* n.d.

-
- above the verandah on the north elevation of the house there appears to be panelling and vents, which is now a flat roof;
 - the stone bridges were intact to their original form; and
 - the reflecting pool along the driveway (far south of house) was an original element with other water bodies being added at a later date.

The study¹⁰⁶ also noted that:

- all the old light fittings in the house were gas lit;
- it is feasible that John Verge designed the house and Mortimer Lewis supervised its construction;
- the original entrance location off Mulgoa Road (north of current main entrance) was not apparent due to the gradual disappearance of the stone gates and the relocation of the road entry point due to road works;
- the south façade of the house was entirely visible when you travel over the stone bridges using the main driveway;
- the driveway continued up the slope parallel to the house ending in a loop outside the entrance portico;
- the building occupies 9,816 square feet, the ceiling height in the Lobby, Ballroom, Master Bedroom and Guest Room is 16 feet, the ceiling height in the two small bedrooms is 10 feet;
- the stone is local Hawkesbury sandstone;
- the meat and general food store was below the storeroom and pantry;
- the stone walls vary in width from 2'0" to 2'6" generally to 9" thick in the children's bedrooms with 1½ " thick sand and lime plaster;
- the internal floors were either stone flagging or ironbark timber roughly hewn into 5" wide boards that created an uneven surface;
- ceilings in the house proper were lath and plaster and cornice and ceiling decorations were made from papier-mâché in oakleaf and acorn pattern and placed in position in sections then finely gilded and coloured to suit each room;
- the roof was originally timber shingles.
- the finely crafted internal shutters in the main part of the house;
- a symmetrical effect in the rooms such as a false door in the Ballroom to match the existing door into the Drawing Room;
- an unusual doorway from the Drawing Room to the Hall;
- the original system of bells that connected various rooms with the butler's pantry that was connected with wires and pulleys under the floor;
- heavily panelled doorways in the main part of the house in cedar with elaborate architraves and pediments;
- different designed skirtings in each main room, cedar stained and varnished in the Ballroom and painted elsewhere; and
- a 45,500 gallon rainwater reservoir at the rear of the house.

¹⁰⁶ Hanly *et al*/ n.d.

Fernhill, c. 1960

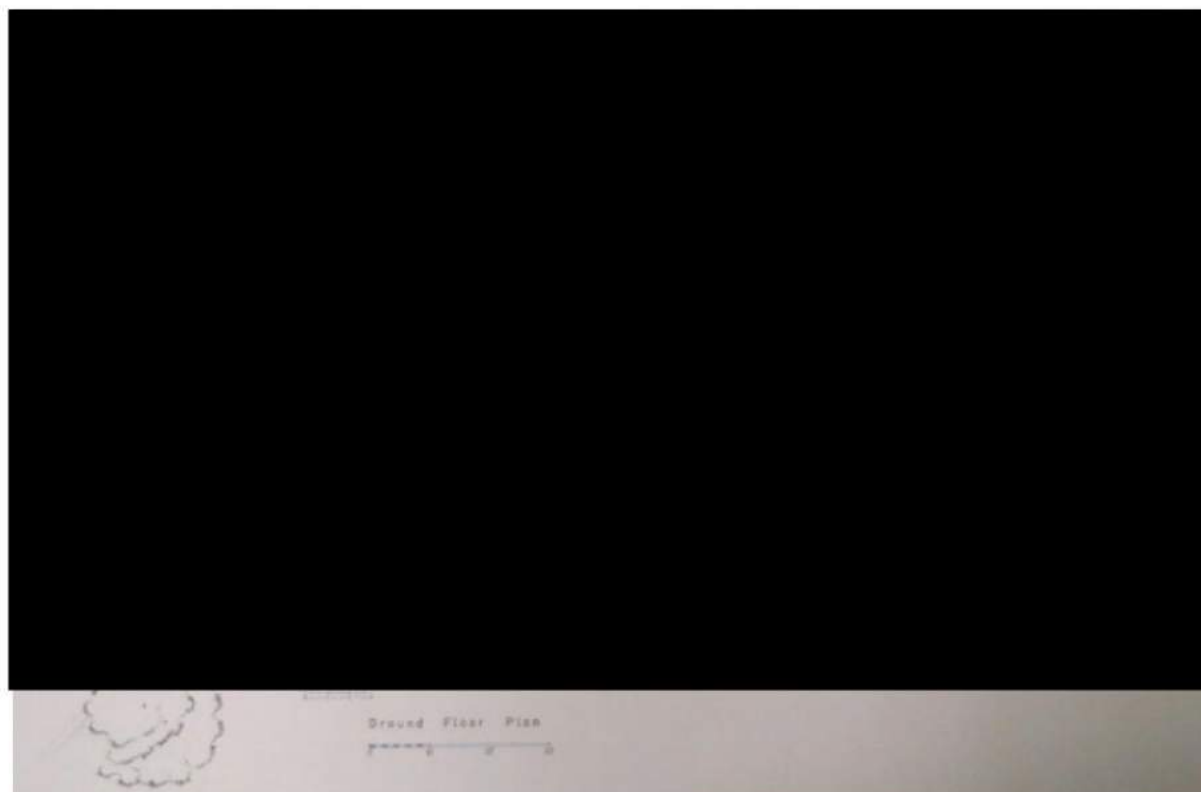


Figure 23: Plan of the ground floor of Fernhill c. 1960 prior to internal alterations and additions. Note the separate toilet wing at the rear, the layout of rooms that was later changed significantly in the rear and service areas and the dotted form of the new bathroom and hallway wing behind the main bedroom.

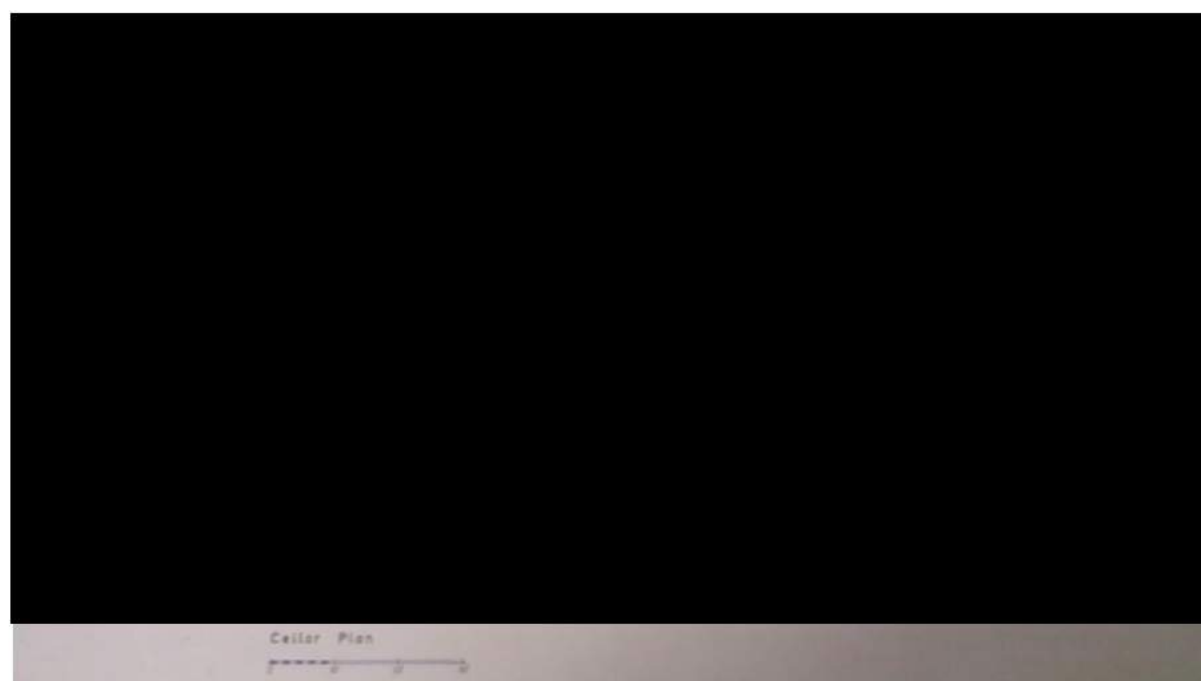


Figure 24: Plan of the basement of Fernhill c. 1960 showing location of water reservoir and coal chute, prior to alterations.



Figure 25: East elevation of house with porte-cochere



Figure 26: West elevation of the separate cess pit structure (now removed)



Figure 27: West elevation before extension to south wing



Figure 28: North elevation of house



Figure 29: Verandah on north elevation



Figure 30: South elevation of house



Figure 31: Detail of verandah on south elevation



Figure 32: North side of internal courtyard



Figure 33: Galvanised iron roof, view from north-west



Figure 34: One of the two stone bridges



Figure 35: Reflecting pond along driveway showing house (prior to construction of retaining wall and planting of further vegetation in late 20th century)

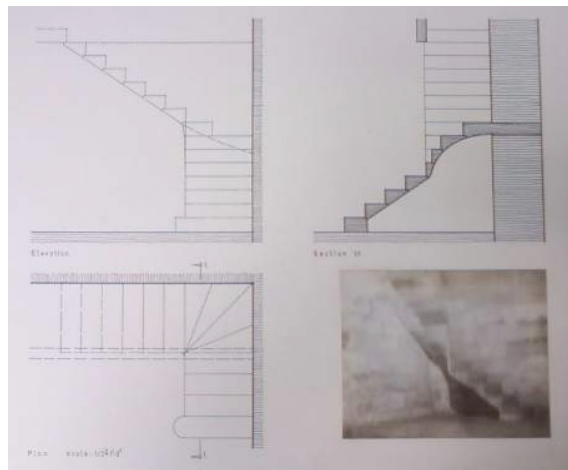


Figure 36: Detail of stone stair to kitchen cellar

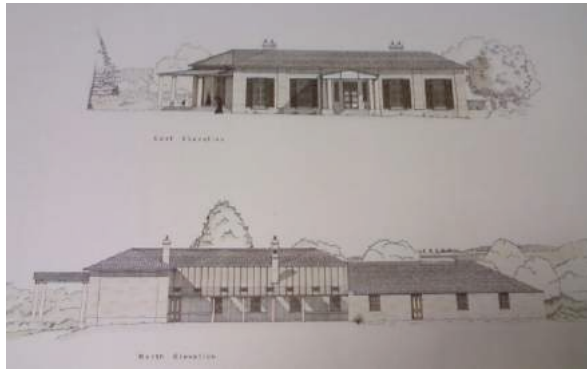


Figure 37: Sketch of East (above) and North (below) elevation of house

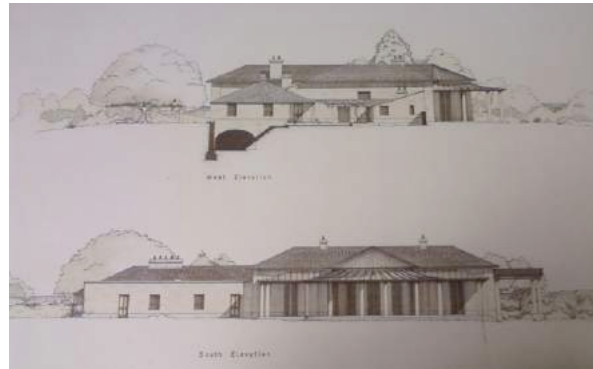


Figure 38: Sketch of West (above) and South (below) elevation of house

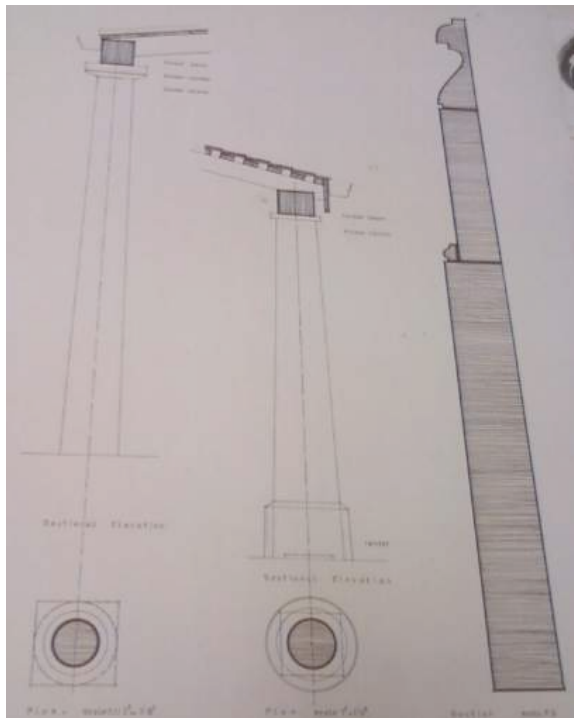


Figure 39: Details of columns on north elevation (left), in central courtyard (centre) and detail of skirting (right)

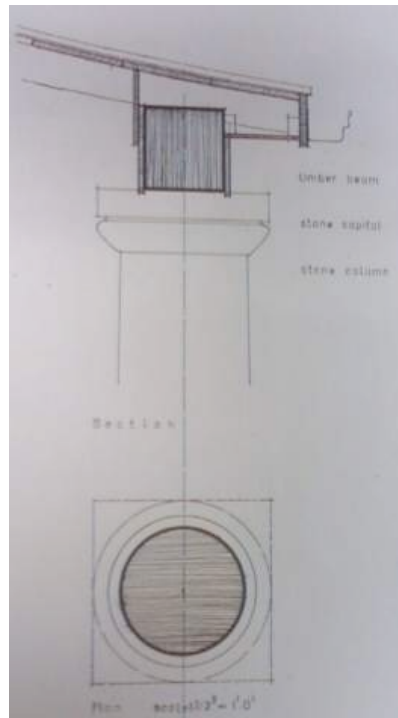


Figure 40: Detail of columns on south elevation
[Source of all above images: Hanly *et al* n.d.]

The Figure below is an aerial photograph of the property in 1961. By this time the driveway alignment off Mulgoa Road has changed, visible at the far right of the photo, due to the realignment of Mulgoa Road. There has been some vegetation clearing north of the 'trades' road to the house and regrowth evident on the southern edge of the property. The electricity easement line is visible west of the house. An additional driveway route has been added from the trades' road near the house. There are two large buildings north and north-west of the house (chicken hatchery and piggery).

New dams are also evident to the north (the large dam), behind the hatchery buildings and within the central area enclosed by the two driveways providing a total of six dams at this time.

The second aerial photograph from 1961 is of the south-east portion of the Fernhill Estate, and it shows the relationship between St Thomas' Church, the former rectory and Cox's Cottage. Since the realignment of Mulgoa Road in 1949 the area east of Mulgoa Road (below), which includes the eastern portion of Fernhill Estate and the Church, has had considerable vegetation regrowth, which over time (and even at this time) has lead to a loss

of direct views between Fernhill House, the church and Cox's Cottage. A new dam is also evident in the eastern precinct that was not at this time part of the Estate.



Figure 41: Fernhill aerial view, 1961 House and two driveways to Mulgoa Road (top right); Littlefields Creek (bottom of photo lined with trees)



Figure 42: Driveway alignment (tree lined) top left of image, showing relationship between Church and Cox's Cottage



Figure 43: Detail of garden area around house Source: Land and Property Management Authority 1961

The Figures below shows several elevations of the house in 1961 with restoration work

clearly evident. Note the lack of planting, gardens or vegetation around the house.



Figure 44: Fernhill, 1961 Source: National Archives of Australia, Image No. A1200:L39776



Figure 45: Fernhill, 1961 Source: National Archives of Australia, Image No. A1200, L39792

In 1966 Fernhill Estate was subdivided into two allotments: a lot of 926 acres; and a 25 acre curtilage around the house and the northern right of way from Mulgoa Road. The Title for Lot 2 of DP 541825 was issued to Darling for 25 acres around the house in September 1970.



Figure 46: Chicken hatchery at Fernhill, c.1961. This building and the associated feed stores were erected for John Darling in the late 1950s; they have since been demolished and the area was redeveloped; Source: Private Collection

The Darling years brought commercial development to Fernhill with the establishment of a wholesale and retail plant nursery, a chicken hatchery (200,000 hens) in 1958, a piggery, and a stonemason's yard operated by Stonehill Pty. Ltd. The chicken hatchery was converted to a nursery in the 1970s. Darling ran 370 head of Poll Hereford cattle, and maintained a wildlife breeding programme (albino kangaroos) as well as a wildlife sanctuary. Stonehill was managed by Stan Hellyer and John Darling and during the late 1970s and early 1980s was engaged on a number of prominent restoration projects such as Elizabeth Bay house, Hartley Court House, Cooma Cottage, as well as work at Fernhill.¹⁰⁷

Sorensen's Gardens at Fernhill

The grounds of Fernhill were substantially altered from 1969 under the direction of Blue Mountains landscape architect Paul Sorensen. Sorensen "was a man dedicated to improving the aesthetic quality of the environment around him".¹⁰⁸ Sorensen was trained in his homeland of Denmark and elsewhere in Europe. He arrived in Australia in 1915 and began his nursery and garden design business at Leura. He was to become the most dominant garden designer for most of the later 20th century in NSW. His work involved interpretations of the English landscape movement and European Modernism. His gardens were based on the idea of maximising site features and creating outdoor rooms defined by the use of large trees and shrubs or with walls and changes in levels.¹⁰⁹ He used a wide variety of larger plants and often left the type of small plants to the client to choose.

¹⁰⁷ Darling Submission to Penrith Council 10/4/1978 and Peddle Thorp walker drawing

¹⁰⁸ Justice R.M. Hope, Heritage Council of NSW in Ratcliffe 1990:7

¹⁰⁹ Ratcliffe 2002:559

Trees and large shrubs were seen by Sorensen as the most important element of a garden, and were placed to create a feeling of mystery of what was behind them and the feeling of enclosure and shelter. He used mostly exotic plants, both deciduous and coniferous, but also native plants - the choice depended on "what species he considered the most appropriate for the use to which it was being put".¹¹⁰ Large-scale garden beds were never intended to be permanent features in Sorensen's designs, as he knew over time tree planting would overshadow them. Sorensen aimed to create a final landscape that would have different qualities of beauty at different times in its development with planned continuity of change.¹¹¹

Sorensen's paving was rarely formal in design, apart from the entrance to a house, which were usually stone, occasionally brick, and further away from the house often grass or bare earth. The driveway varied in his work from being of minor visual importance to in several gardens being a central feature as seen at Everglades, Gleniffer Brae, Invergowrie and Mahratta.¹¹² He took advantage of existing site features, such as the preservation of interesting landforms or trees and often salvaged rock and other material for reuse in the development of a garden. His rule was to respect what was already on the site, both the natural and man-made (sic) qualities and make the location a desirable one on which to live. Views to the surrounding landscape were incorporated into his designs. Most of his walls were built in stone, but some were brick.¹¹³

Sorensen always recommended the simplest type of wire fencing so that the view out of the garden was in no way impeded, as the countryside was an important part of the garden. However, he also used to mark the entrance to the property with some form of walling, normally in stone so that significance was given to the arrival in the garden.¹¹⁴

When Sorensen started working on the garden at Fernhill there were two jacaranda trees, one bunya pine, a few smaller trees and a row of agapanthus. The landscape close to the house included various farm structures, tank stands, and castor oil bushes and dead wattles.

Providing a level lawn around the house, a concept that appears to have been central to the design of the garden, required the construction of retaining walls with extensive fill, which in turn required re-planning the carriage loop which was buried in the process of levelling. The carriage loop was replaced with a car court hidden below the retaining wall with an approach stair arriving at the lawn level near a grove of Chinese elms (*Ulmus parvifolia*) at the end of the large pergola.¹¹⁵ Elsewhere in the grounds he planted willows.

The levelling of the landscape around the house at Fernhill to create a series of raised and 'dug-in' platforms and features fundamentally changed the character of the setting from colonial to contemporary and removed most of the gradual views to the house from the broader landscape.

Sorensen located pergolas at several locations around the house using different designs. He used pergolas to frame a view or divide or enclose an area, rather than just supporting vines. At Fernhill Doric order sandstone columns from the demolished Union Club in Bligh Street Sydney were used for the northern pergola with added refinement given by the shaping of the ends of the timbers to a detail sympathetic to the Georgian architecture of the house.¹¹⁶

¹¹⁰ Ratcliffe 1990:12

¹¹¹ Ratcliffe 1990:13

¹¹² Stuart Read personal comment 24 March 2014

¹¹³ Ratcliffe 1990:12-14, 145

¹¹⁴ Ratcliffe 1990:148

¹¹⁵ Ratcliffe 1990:105

¹¹⁶ Ratcliffe 1990:147

This pergola was covered with flowering White Chinese Wisteria (*Wisteria sinensis* 'Alba'). It is situated at the northern edge of the north lawn and encloses the area from the access drive beyond. This lawn area was also raised with a large stone retaining wall running east west with the service drive set below the new ground level and out of site from the garden.

A wide bed of mixed plantings of perennials and shrubs, including camellias and azaleas, forms a backdrop to the pergola when viewed from the house.

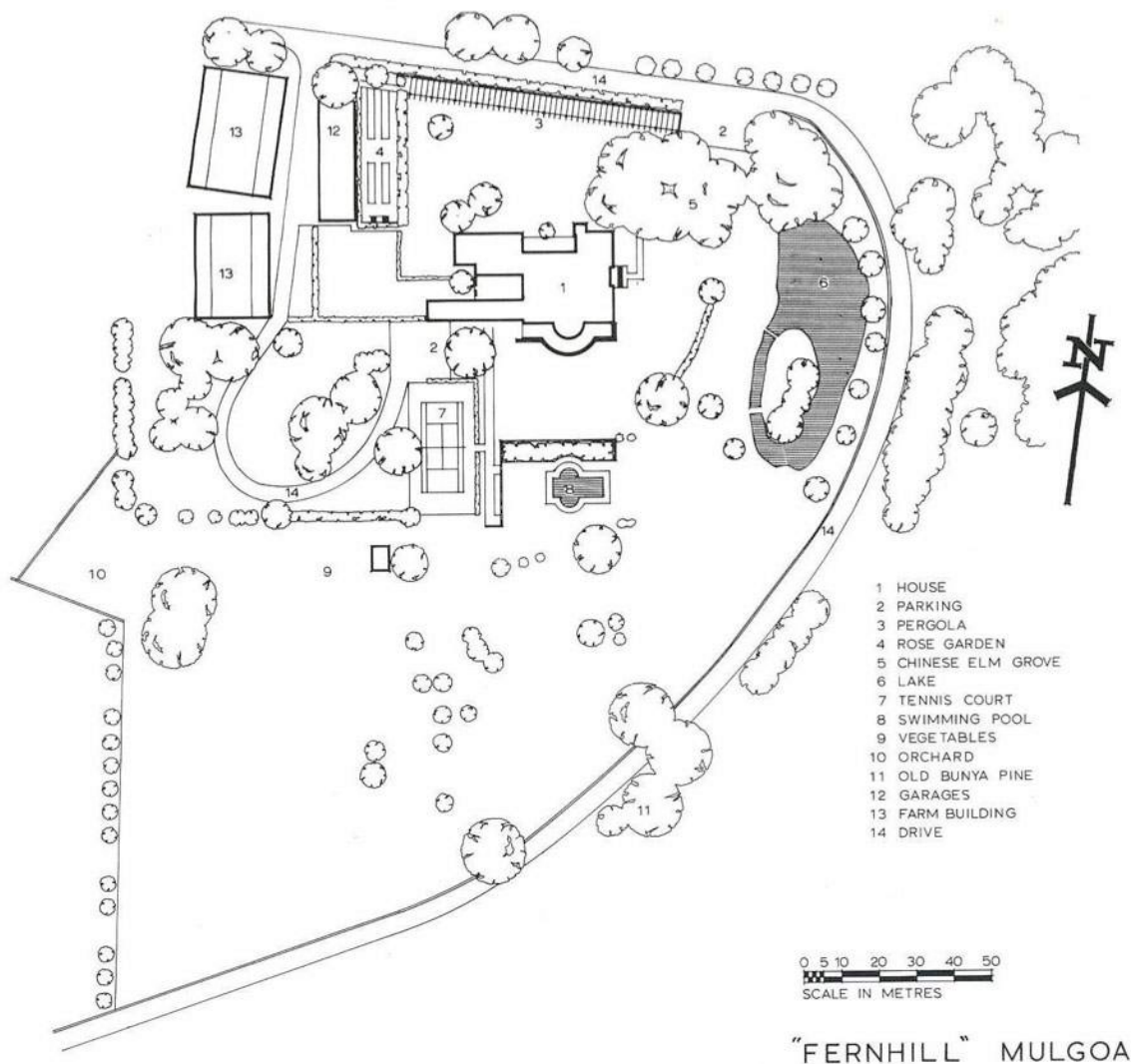


Figure 47: Sorensen's garden design for Fernhill. Source: Radcliffe 1990:95

A second pergola is located in the southern garden area separating the tennis court from the house. It is of timber construction but does not appear on the Radcliffe period drawings suggesting it was added either later by Sorensen or after his involvement on the property.

The garden development of Fernhill included a swimming pool, which was sited on a sunken terrace so that it cannot be seen from the house, even though it was positioned on the main axis of the southern façade. The pool is concealed from the house by a balustraded wall and planting of mainly white flowering shrubs. The pool house is set below the adjoining upper

terrace is and is not visible from other parts of the garden, the paved roof area providing a viewing area from the side of the tennis court.¹¹⁷

The rose garden at Fernhill (to the west of the northern lawn) is formal in its layout (Sorensen created similar gardens at Rannock, south of Orange). This garden is screened by tall hedges of star jasmine (*Trachelospermum jasminoides*) with the entrance arched with yellow Banksia rose. The tennis court that probably dates to Baynes occupation was re-laid and screened by star jasmine and banksias rose during the Andersons development of the property.

Terracing or walled enclosures, like those used at Fernhill, were a European tradition used to protect sensitive plants. Balustrades and stairs were used to accentuate changes of level, such as at the south, west and south east of the house. Retaining walls or stairs often had axial arrangements to the house.¹¹⁸

The 1830s stables were partially converted to form a flat. A covered carport was added east of the stables and a small billiard room (since demolished) was constructed to the north.

Sorensen's design included a lake or reflecting pond to the east of the house, which included an island. It is not clear historically but it appears the present summer house and bridge were later additions by Anderson (after Radcliffe's 1990 drawing) however the 1979 aerial photograph indicates a simple bridge connecting to the island. Summerhouses were a popular feature for gardens since the 19th century.¹¹⁹

Sorensen's landscape works significantly changed the relationship of the house to its landscape by setting the house on a levelled platform with steep greened banks, stone retaining walls and other built landscape elements. The once open pastoral views to the north and south were impacted by these works, views to the east were partially retained but the introduction of the pond and the changes to the land formation changed the relationship of the house and its approach. Apart from selective replanting of eucalypts to the east of the house, the broader landscape beyond the house garden did not change much from the 1960s to 1970s. Around this time in some of the surrounding areas to Fernhill Estate changes to land use and land ownership saw ongoing land clearance and regrowth.

Cox described the gardens in 1972 as "restrained" with the carriageway at the entrance removed giving way to a broad lawn and stone flagged terrace. A clump of Chinese elms has been planted at the side of the house, providing entry into the newly formed garden, screened to the north by a pergola constructed from columns salvaged from the old Sydney Union Club. Wisteria and other sweet-smelling vines have been planted around the house.¹²¹

Cox further described the view from the verandah and principal rooms to the tower of St Thomas' Church to the east, which is reminiscent of landscapes by Humphrey Repton and 'Capability' Brown, when towers of churches were used as romantic elements in the landscape during the 18th century in England. The Darlings preserved some of the romance of the colonial garden, such as oranges and olives and the newly created rose garden included verbena, roses, larkspur and hollyhocks.

¹¹⁷ Ratcliffe 1990:106

¹¹⁸ Tanner 2002b:626

¹¹⁹ Tanner and Begg 1983:33

¹²¹ Cox 1972:138



Figure 48: Fernhill aerial view, 1970. Source: Land and Property Management Authority 1970

St Thomas' Church was built by Edward Cox as a simple sandstone building along the same detailing as Fernhill, with the exception of its Gothic influence. Further to the north is Cox's Cottage, which is a timber-framed building with brick infill panels sheeted externally with weatherboards. In 1972 the house was in ruins but still surrounded by Chinese elms that formed their formal gardens.

By July 1970 the carriage loop east of the house has been removed and the Sorensen parking area, stone walls and plantings had been added. The lawn has been levelled and terraced and a looped rear drive has been built to connect to the rear wing of the house. The Sorensen Garage has been built to the rear of the house and the rose garden, terraces and stone entry stairs have all been built. There are further out-buildings north-west of the house in comparison to the 1961 aerial photograph. The timber pergola was constructed by this stage north of the house and it appears that works are underway south of the house with minimal plantings in this area. There are two other unknown buildings north of the house and stables that are accessed off the road that by this stage provided access to the rear wings of the house.

During ownership by the Darlings the house was filled with furniture appropriate to the scale and age of the house, such as the Chinese lacquer barrel chest and the 18th century bureau. The Darlings carefully restored the ceilings of the two major bedrooms, the first which contains a ceiling rose with a lyrebird tail motif, the second which contains a cornice comprising Greek Anthemion ornaments approximately six inches high and three inches wide.¹²²

¹²² Cox 1972:136

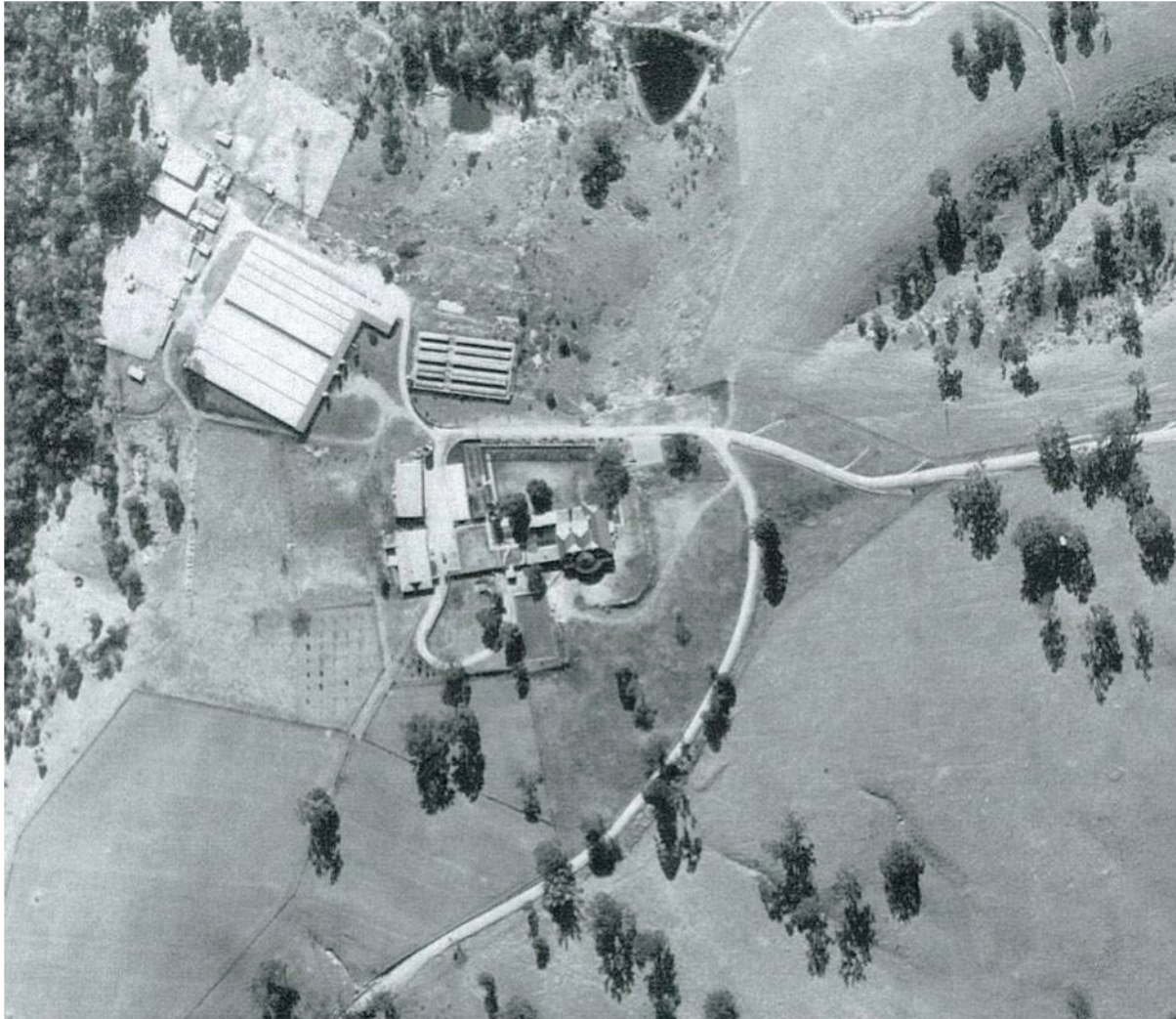


Figure 49: Detail of garden area around house. Large trees are clearly visible north of and close to the house. Source: Land and Property Management Authority 1970

Fernhill was one of several homesteads featured by Philip Cox (1939 -) in a book published in 1972 on colonial properties. At the time the house was owned by the Darlings. Cox describes the “fleeting glimpse of the house from the road... and wheeling into the driveway, the house on the hill can be seen”.¹²³ He notes that the original drive to Fernhill was through an avenue of apple gums (*Angophora flori-bunda* and *A. subvelutina*), which lined the winding driveway through the property across stone bridges and gullies.¹²⁴ At the time a crude fountain sat in the centre of the entrance hall.

The external and internal shutters were on the house as described by Cox in 1972. The ceiling of the ballroom was painted a soft steel blue with plaster cornices and mouldings gilded to pick up reflected light. Beneath the main house are cellars that are approached by a flight of stairs on the northern verandah. These stairs lead under the stone vaulted roof of the bedrooms, which may have been constructed to take a future load for a second storey. A second cellar exists under the old kitchen wing, now used for bedrooms, which is adjacent to a 40,000 gallon stone reservoir constructed from ashlar stonework by the convicts.

¹²³ Cox 1972:130

¹²⁴ Tanner 2002a: 212

The cellars are now interconnected, but prior to the 1980s the two cellars were separately accessed and had common access to the coal chute on the northern verandah. The Andersons constructed a hallway across the rear of the coal chute to interconnect the cellars and roofed the coal chute.



Figure 50: Fernhill, 1972. Eastern elevation of house. Note the circular driveway and porte-cochere have been removed; Source: Cox 1972:131



Figure 51: South elevation of house; Source: Cox 1972:133



Figure 52: West elevation of house and garden; Source: Cox 1972:137



Figure 53: Interior of Sitting Room; Source: Cox 1972:135



Figure 54: Main Entrance Hall; Source: Cox 1972:139

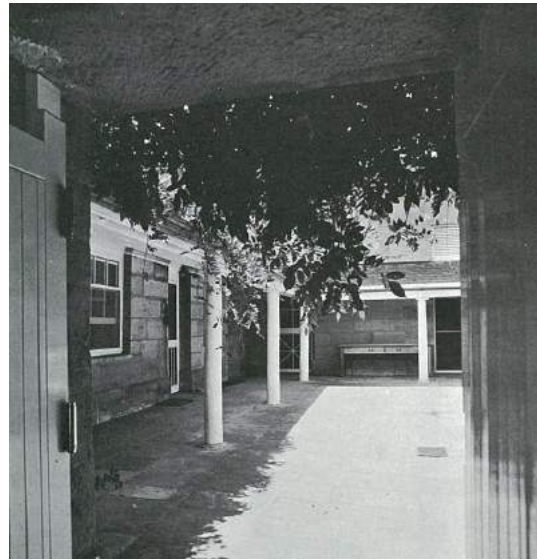


Figure 55: Rear Courtyard; Source: Cox 1972:136

The figure below shows images of the house and sketches of internal joinery for Fernhill as recorded by Rachel Roxburgh three years later than Philip Cox.



Figure 56: Fernhill, 1975 South Elevation of house showing the porte-cochere removed; Source: Roxburgh 1975:244



Figure 57: Detail of verandah on south elevation; [Source: Roxburgh 1975:247]



Figure 58: Entrance Hall; Source: Roxburgh 1975:246



Figure 59: Ballroom; Source: Roxburgh 1975:248

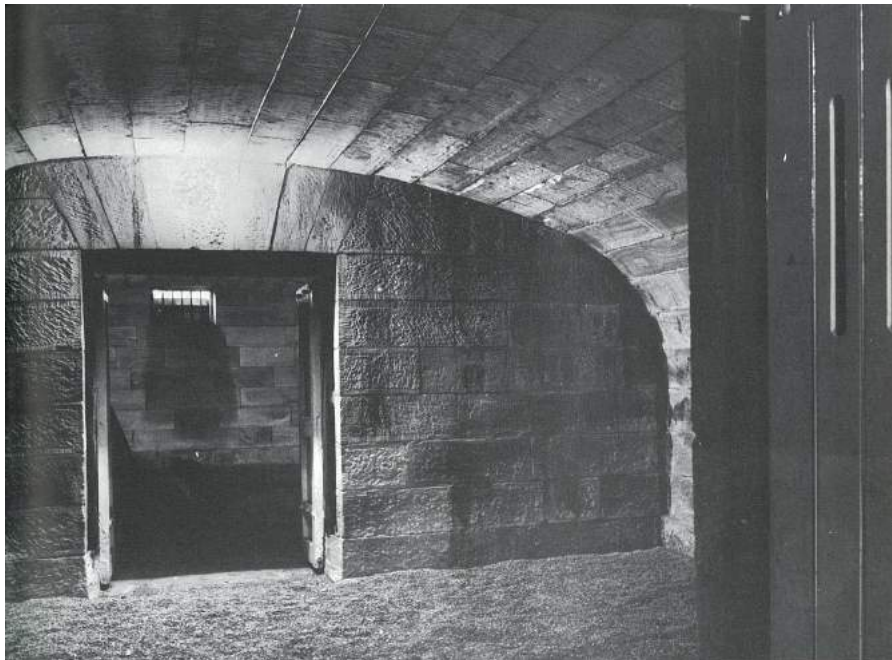


Figure 60: Cellars in basement (B02 looking through to B01); [Source: Roxburgh 1975:245]

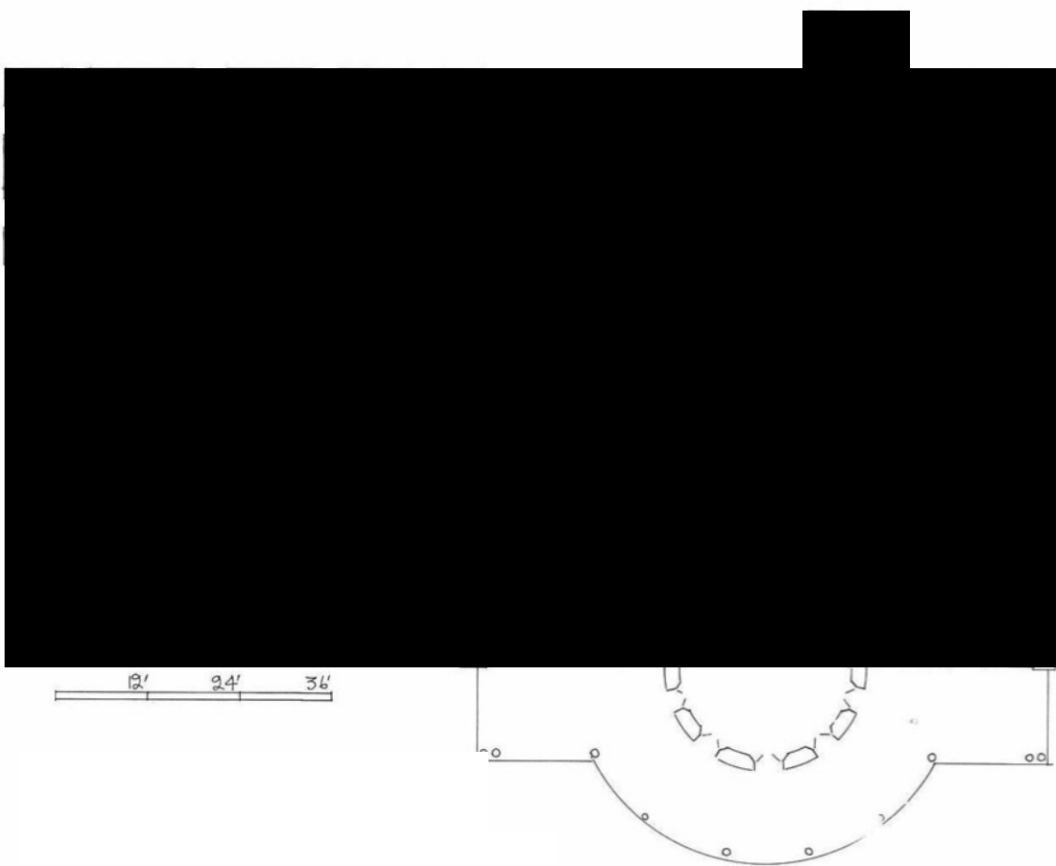


Figure 61: Ground floor plan of house; Source: Roxburgh 1975:249

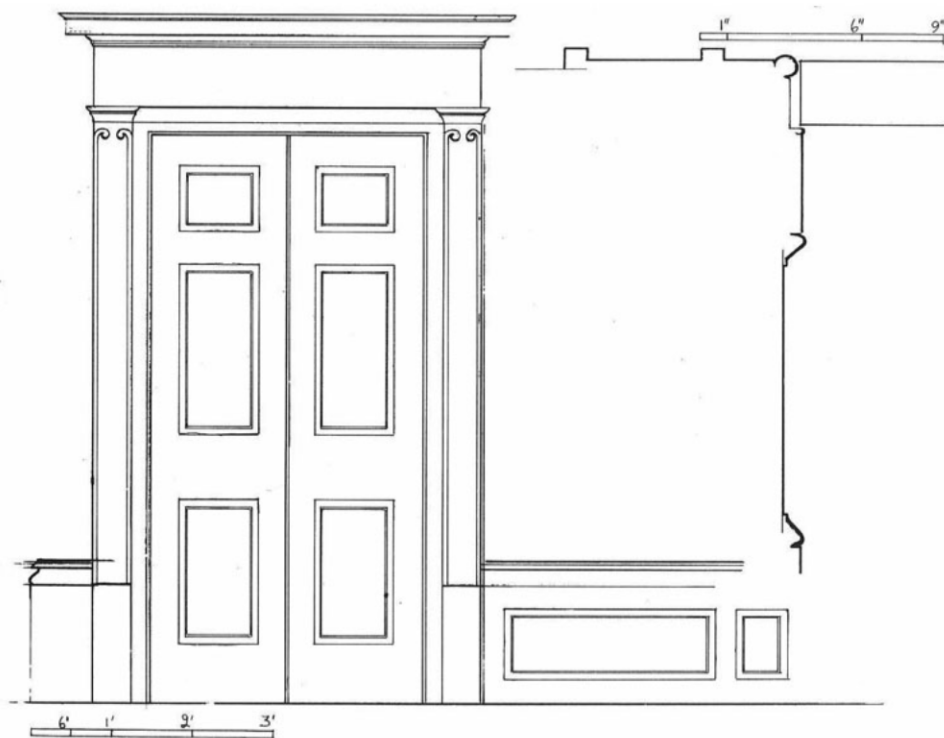


Figure 62: Internal joinery detail of house; Source: Roxburgh 1975:251

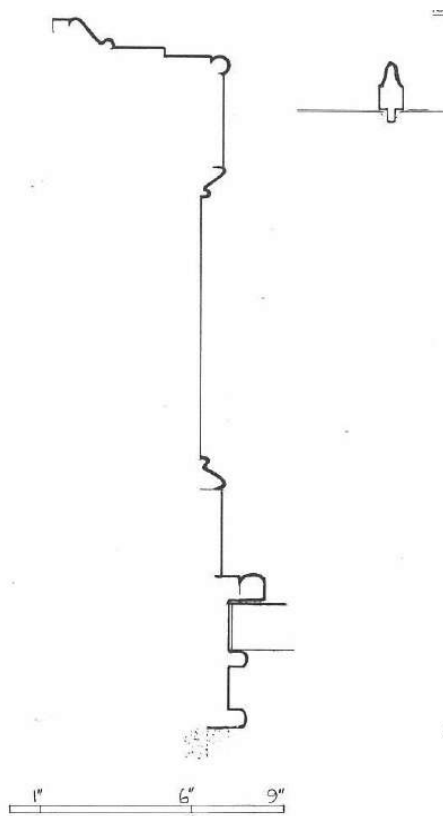


Figure 63: Wall joinery detail; Source: Roxburgh 1975:249

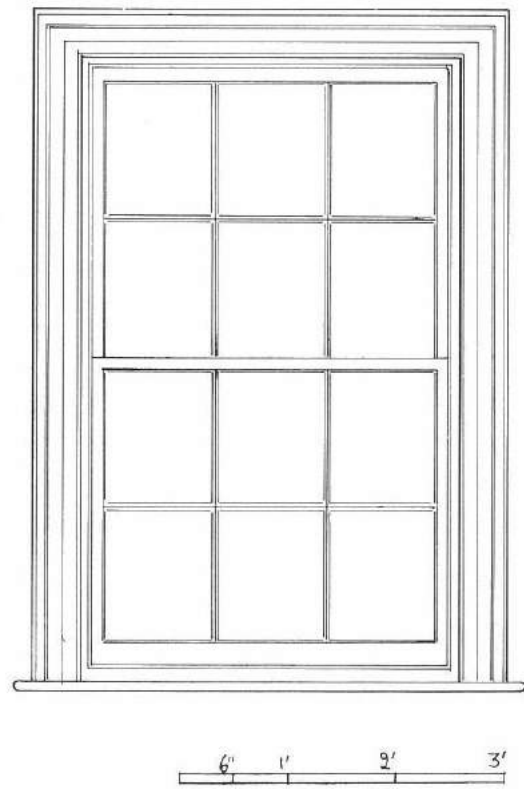


Figure 64: Window joinery detail; Source: Roxburgh 1975:249

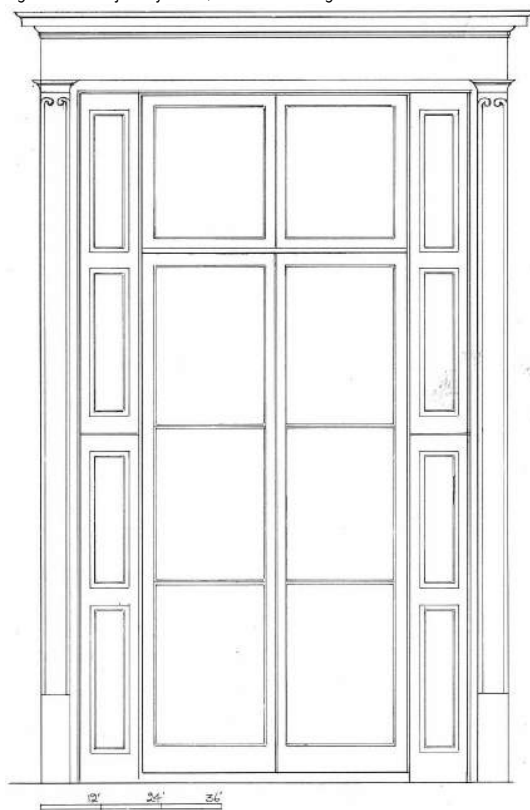


Figure 65: Front door joinery of interior Source: Roxburgh 1975:250

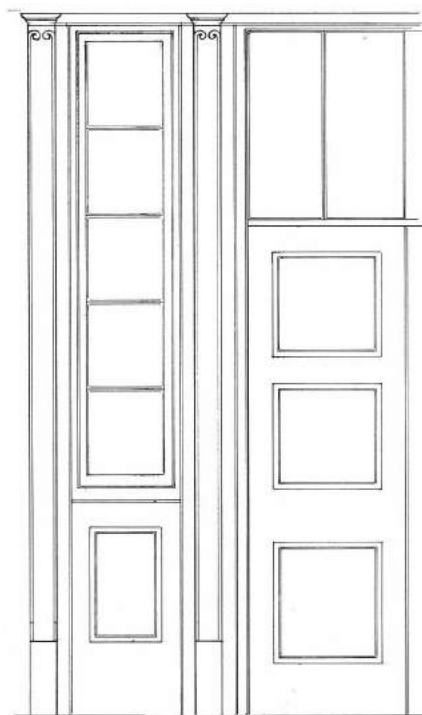


Figure 66: Front door joinery of interior Source: Roxburgh 1975:250

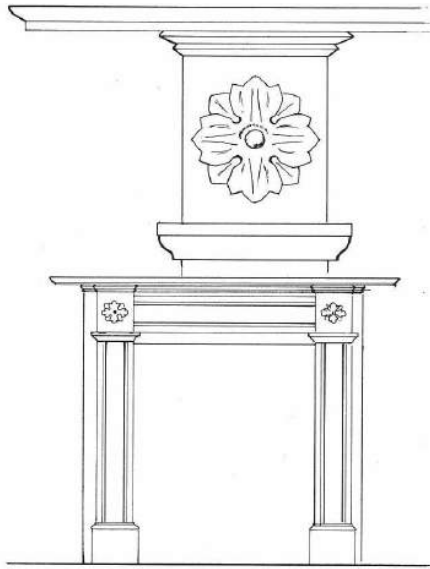


Figure 67: Detail of internal joinery Source: Roxburgh 1975:251

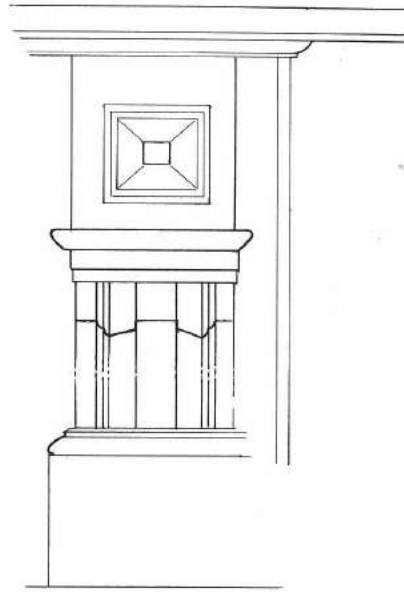


Figure 68: Detail of internal joinery Source: Roxburgh 1975:251

With the passing of the *NSW Heritage Act* in 1977 statutory protection of places of heritage significance came within the control of the state government under the administration of the Heritage Council. The Council soon considered the significance of Fernhill and placed Interim Conservation Order No. 44 on the eastern half of the property in December 1978.



Figure 69: Aerial photograph of Fernhill Estate, 1979. Fernhill Estate showing relationship between Church and Cox's Cottage; Littlefield's Creek (treed lined at bottom of photo)

This was followed by Permanent Conservation Order No. 54 in July 1981 over the whole property. This gazettal was followed up with the commissioning in 1982 of a heritage study of the Mulgoa Valley as part of the preparation of a regional environmental plan, subsequently

gazetted in 1987 (REP 13).

The end of the Darlings' era at Fernhill coincided with an ambitious proposal to subdivide the south-east corner of the estate. Under the provisions of the Penrith Council Planning Scheme, the minimum permissible lot size for Fernhill was 40 acres, but in 1978 Darling, in considering these provisions too restrictive, put forward an alternative avenue of subdivision. Darling proposed Fernhill could be developed into an 'historic settlement' following overseas examples such as the colonial village at Williamsburg, Virginia. The Darlings thought 40 historical buildings could be realistically relocated to Fernhill.¹²⁵ In December 1979, 49.8 hectares (of the 374.9 hectares) in the north-east of the property was subdivided off for ownership transfer within the Darling family/estate purposes. Any proposed subdivision of Fernhill however proved problematic given the heritage values of the estate, which had been long recognised. Statutory measures to protect these values had been inaugurated relatively early through the gazettal in 1960 of about 6 acres round the house and the northern (back) drive to the City of Penrith Planning Scheme Ordinance.¹²⁶ This gazette followed the proclamation of Fernhill by the Cumberland County Council as a place of historical interest.



Figure 70: Aerial photograph of Fernhill Estate, 1979. Detail of garden area around house. Note the increase in larger trees particularly north of the house.

Source: Land and Property Management Authority 1979

Figure 48 (1970) and figure 70 (1979) are aerial photographs of Fernhill Estate both show the increase in tree cover north of the house. By this stage the tennis court deck (the tennis court dating from c 1930) and pool are established south of the house, as is the pond and

¹²⁵ Darling submission to Penrith Council 10/4/1978

¹²⁶ Government Gazette, 30/9/1960

island east of the house. The trees around the house are more established at this time in comparison to the 1970 aerial of the property. The hedges around the rose garden are also more established.

The Darlings' proprietorship of Fernhill ended in 1980 and during this quarter of a century they endeavoured to return Fernhill to 'it to its former glory' with the aim of 'leaving something for the nation'.¹²⁷

It is not clear from the available records whether the works undertaken by the Darlings were undertaken with or without approval. It is likely that the various buildings were added through an approval process but very unlikely that the changes to the garden and estate required consent. Consequently there are few records (apart from the drawings of the bathroom addition) that have been located from archives or Penrith Council. It is also noted that while the property was owned by the Darlings it was not subject to a permanent conservation order. That was gazetted on 3 July 1981.

Fernhill was purchased in September 1980 prior to auction by Owston Nominees No. 2 Pty. Ltd., a company owned by the Andersons. The sale price, \$2.8 million, was considered an Australian record for a property of that size. Warren Anderson (b.1941) is a West Australian born property developer who relocated to Sydney in 1978. Anderson's wealth was generated through his company NEW World Developments Pty. Ltd. which consolidated Coles' New World shopping centre sites.¹²⁸ Anderson also acquired ownership of Glenmore Country Club (centred on Henry Cox's Glenmore estate) in 1981,¹²⁹ the Albert family's Boomerang at Elizabeth Bay in 1985, and Sir Frederick Sutton's 50,000 Ha Tipperary pastoral stations in the Northern Territory.¹³⁰ With the sharp economic downturn of the late 1980s Fernhill and Boomerang were placed on the market in September 1991. Fernhill was, however, retained by the Andersons.

In July 1981 (as part of the gazetting of the PCO) site specific exemptions were gazetted under the Heritage Act for Fernhill.¹³¹ These exemptions were later withdrawn (23 October 1998) when standard exemptions were gazetted.

In 1981 Owston Nominees No. 2 Pty. Ltd subdivided Lot 1 in DP 541825 into Lots 10 and 11 in DP 615085. Lot 10 comprises 374.7 hectares (926 acres) and Lot 11 comprises 49.5 hectares (122 acres). A small area of Cox's early landholding was alienated at this time on the corner of Mulgoa and Mayfair Roads, which was retained by Darling for his Fernhill Nurseries.¹³²

The Andersons' involvement at Fernhill followed the pattern set by the Darlings with ongoing development and restoration of the house and grounds. In many instances, the Andersons retained the services of Darling's contractors and consultants such as Sorensen and Hellyer. Works by Sorensen post-1980 include the provision of an ornamental lake and island east of the house, the terraced approach to the courtyard at the rear (west) of the house, and the transplanting of an ancient *Magnolia grandiflora* from Sydney into the garden. The *Magnolia* was severely pruned to reduce its leaf area, planted in compost and sprayed for over a year

¹²⁷ Sydney Morning Herald, 5/10/1980

¹²⁸ Australian Financial Review, 17/6/1980

¹²⁹ Otto Cserhalmi and Partners 1991

¹³⁰ Sydney Morning Herald, 12/8/1991

¹³¹ *Government Gazette No. 97*, 3 July 1981

¹³² Land and Property Information – Torrens Title Register Vol. 14490 Fol. 187

with liquid fertiliser that were rigged up through the tree and controlled by a timer so that all parts of the tree ere kept supplied.¹³³

Within the first decade of the Andersons' ownership the principal interiors of the house were redecorated, and new buildings were constructed. A manager's residence was constructed north of the house in 1981 on the site of a former poultry shed, the design of which complimented the existing historic building by using sandstone ashlar walls. A saddlery with guest and games rooms was completed in 1983 north of the 1830s stables, which was formerly the location of Darlings' billiard room. The residence and saddlery were built in sandstone with a slate roof by Stonehill Pty Ltd. The 1830s stables were renovated again for accommodation. A hay shed constructed of stone with a copper roof was constructed along the northern driveway.¹³⁴ There is no record of any of these works being approved.

The tennis court was re-laid in loam, the general ground level west of the house was raised, and the termination of the access driveway near the house was re-arranged.

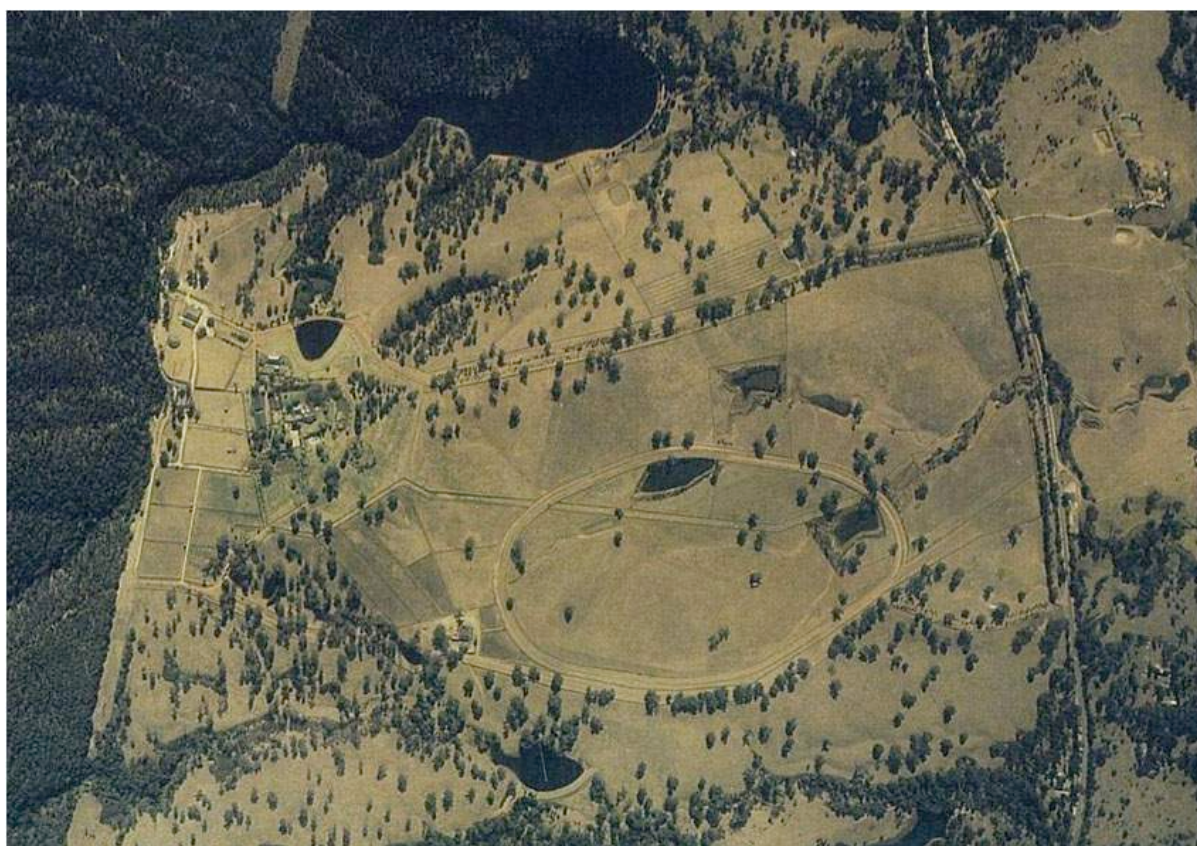


Figure 71: Aerial of Fernhill Estate, 1986

The grounds were also altered with landscaping around the house, and the erection of stonewalls, post and rail fences and pine windbreaks throughout the eastern half of the estate. Various groves of trees were planted around the house. The stone-faced reinforced concrete wall that runs beside the entire length of the southern driveway up to the house and around other access roads on the property was a large undertaking. The stone-faced entrance piers were placed on Mulgoa Road and paddock fencing was established west of the house from 1981. The timber piles in the original reflecting pool along the southern

¹³³ Ratcliffe 1990:106, 148

¹³⁴ Davies 2005:77

driveway were replaced with a sandstone retaining wall using stone from demolished buildings.

Other works undertaken by the Andersons without approval in the early 1980s include excavation and rebuilding the collapsed eastern abutments of the two bridges and reconstruction of the western abutment in reinforced concrete. Machinery shed was constructed west of the house, as were several stone loose boxes in the horse paddocks. Timber post and rail fencing was constructed to the horse paddocks and the whole eastern slope of the property. To the far west of the house a complex of workshops and bird aviaries were constructed, which removed a number of sheds and other structures including a 1950s piggery complex. The dammed lake north of the house was enlarged, as was the lake in the far northeast area of the property. A new dam was constructed on the western hilly section of the property. A high cyclone-type fence was constructed for the deer enclosures. A new 21 stall stable block, mating shed, lunging ring, sand roll and residence and a two-kilometre racetrack were completed by 1983.



Figure 72: Aerial of Fernhill Estate, 1986 Detail of garden area around house; Source: Land and Property Management Authority 1986

Additional land neighbouring Fernhill Estate was acquired to the north, west and south enlarging the landholdings of Owston Nominees from 404 hectares to 704 hectares in the early 1980s.¹³⁵ In 1984, Lots 10 and 11 of DP 615085 of Fernhill were issued to Owston Nominees Pty Ltd. In 1987 the Heritage Council commenced legal proceedings against the owner's substantial unapproved works undertaken on the property.

The additions and alterations undertaken at Fernhill by the Andersons further changed the relationship of the house and the broader landscape. The views to the church and cottage to

¹³⁵ Sydney Morning Herald, 28/9/1991

the east had disappeared by the mid-1980s through regrowth, new landscape and site changes. The broader landscape changed from a largely 'park-like' open landscape to an enclosed and planted landscape. Re-vegetation around the property since the 1980s has further obscured the park-like grounds and strong visual connections that formerly existed.

Figures 71 and 72 are aerial photographs of Fernhill Estate in 1986. They show substantial landscaping works that were undertaken between 1980 and 1986 including the stables complex and racetrack, stone wall leading from Mulgoa Road up the driveway to the house, pond north of the house and new yards and associated timber fencing (mostly west of the house). The orchards were planted by this stage north of the trades' road. The chicken hatchery had been removed by 1986 and an aviary and other brick farm buildings established north-west of the house.

When Richard Ratcliffe wrote about Paul Sorensen in 1990 he noted that the design of Fernhill's garden was extant and more or less unaltered. The figure below is an aerial view the house and garden around Fernhill Estate in 1994 showing the extent of changes by the Andersons during their period of ownership and occupation, with the landscape features by Sorensen still evident amount the new buildings.

Figure 74 is an aerial photograph of the Estate and greater area in October 1998. By this stage the pines around the lake north of the house are quite established and more trees are planted south of the house in the enclosed garden.



Figure 73: Aerial of Fernhill house and garden, 1994 Source: Land and Property Management Authority 1994

Fernhill was listed on the State Heritage Register (SHR) on 2 April 1999. The figures in Section 4.4 provide maps of the SHR listing and the statutory implications are discussed in Section 5.1.

Fernhill is an item of environmental Heritage in the Penrith LEP 2012 (the earlier CMP's were based on SREP 13 for the Mulgoa Valley and the earlier Penrith LEP).

In December 2001 bushfires extensively damaged Fernhill Estate. A number of outbuildings including the aviaries, workshops sheds, the winery, a slab cottage near Mulgoa Road (the former Mulgoa Post Office) along with landscape elements and timber fencing were destroyed. Most of these items have not been repaired or replaced.

Figure 93 onwards provides photographs of various views of the grounds and house at Fernhill in the early 21st century.¹³⁶

In November 2002 the Approvals Committee of the Heritage Council of NSW considered a request for “in-principle agreement to prepare a CMP, Heritage Agreement and supporting studies to determine appropriate use of the land to the west of the property’s bush ridgeline and land adjacent to Mulgoa Primary School and to provide an income stream to fund ongoing conservation of Fernhill”.¹³⁷ They gave in-principle support to the preparation of a CMP an heritage agreement requiring this as a pre-requisite of any development proposal and informing Penrith Council of the same. In December 2002 Penrith City Council supported the ‘in principal’ proposal to prepare a CMP and a Heritage Agreement for Fernhill *“to ensure the effective long-term conservation, management and maintenance of the property”*.¹³⁸

Paul Davies Pty Ltd prepared a CMP for Fernhill in 2005 that addressed the whole of the land holding. It was included with other environmental reports in a study for Penrith City Council. In October 2007 the property owner officially requested an amendment of the state listed boundary to Fernhill, which required assessment by the NSW Heritage Branch. This curtilage amendment was deferred as the Heritage Council was assessing priority thematic listings to the SHR.

After a change in the Anderson’s situation and a large auction of the domestic contents of Fernhill homestead, the management of the property changed and receivers were appointed to sell the estate. As part of that process a revised planning exercise and conservation plan were prepared by Urbis to again consider development around the Estate. The 2010 CMP, which was based on the 2005 CMP restricted its assessment to the SHR listed property.

Around this period Penrith Council prepared a new LEP that superceded the earlier LEP and SREP 13 for the Mulgoa Valley. The LEP was gazetted in 2010 and is now the local planning instrument that affects the site. This change did not affect the presently SHR listed part of the holding, but the new LEP included a number of properties as heritage items in relation to Fernhill, they are designated as “Curtilage of Fernhill”. These properties include: 1147 – 1187 Mulgoa Road and 10 – 156 Mayfair Road Mulgoa. Interestingly the properties have no heritage value in their own right and appear to have been listed to prevent development potentially taking place on the lots.

Also around 2010 a development application was submitted to Penrith Council to develop a primary school on part of the St Thomas Church lands to the east of Fernhill. The St Thomas site had been sold by the Anglican Church some years earlier to the Anglican Schools Corporation with ongoing use rights of the church. Penrith Council refused the application and the matter was determined by the Land and Environment Court through an appeal. The Court in determining the appeal considered in detail the relationship between the church site, Fernhill and The Cottage as their visual links through views and vistas was a key argument put forward by Council for not allowing the school development.

¹³⁶ Rich and Partners undated

¹³⁷ Heritage Council of NSW 2002

¹³⁸ Penrith City Council 2005

The Court determined that the historic relationship between the properties through views and vistas across a colonial landscape had once existed but was no longer extant and that much of the regrowth was on land that was beyond the control of the school. Penrith Council strongly argued, with some success, for the importance of the Cumberland Plain regrowth areas and these areas were protected in the Court decision.

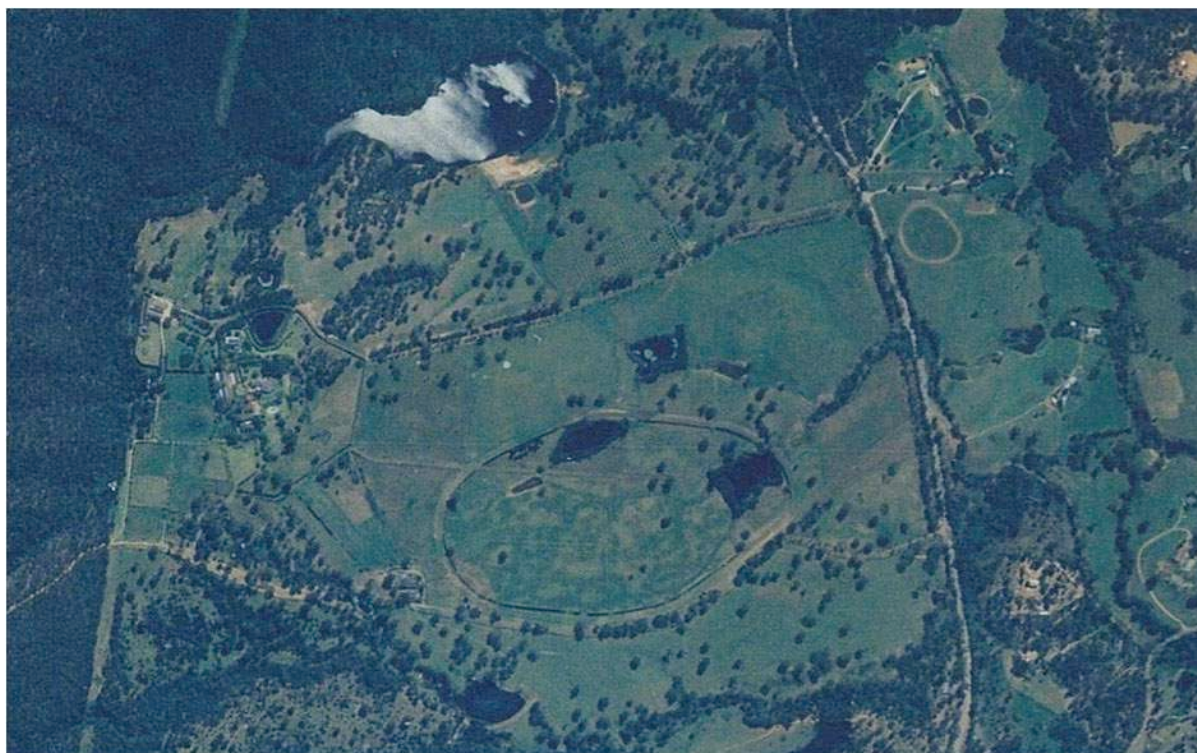


Figure 74: Aerial of Fernhill, 1998 Source: Land and Property Management Authority 1998



Figure 75: Fernhill Estate, c. 2000 View of eastern elevation of house, beyond which is the c. 1839 stables (back left) and 1980s farm building (back right); the swimming pool is set below the balustrade and is screened from the house by trees; the disused tennis court is surrounded by hedges and Sorensen's curved driveway and tree plantings are visible (far back left)



Figure 76: Fernhill Estate, c. 2000 View of southern elevation of house

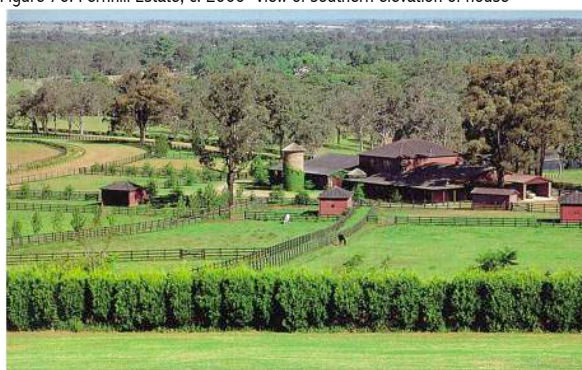


Figure 77: Fernhill Estate, c. 2000 Stables complex and race track (left), designed and built by the Andersons in early 1980s (looking south)



Figure 79: Terraced garden west of house, designed by Sorensen (looking north)



Figure 78: Fernhill Estate, c. 2000 Pond and sandstone wall (foreground) and 1980s stables complex (background) (looking north)



Figure 80 : Rose Garden, designed by Sorensen (looking south)



Figure 81: Aerial view of house looking east towards Mulgoa



Figure 82: Reflecting pond, designed by Sorensen; timber bridge and summerhouse (apparently) designed by the Andersons and brought from England (looking south)



Figure 83: G04, Ballroom (looking south towards garden); curtains and other decorations by Barry Burn; French fabric on walls



Figure 84: G03, Drawing Room (looking south towards garden)



Figure 85: G02, Second Entry Hall (looking east towards front door)

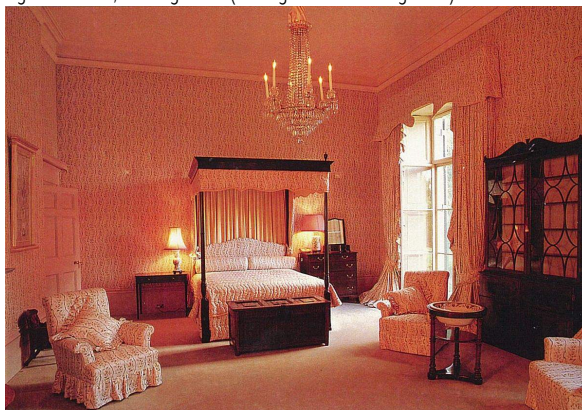


Figure 86: G12, Master Bedroom, originally 2 bedrooms (looking north)



Figure 87: G07, Kitchen, formerly 3 servants rooms (looking west)

The combination of the Mulgoa Road re-alignment with its embankments and cuttings, changes in the landscape form and the dense re-vegetation of Cumberland Plain Woodland in particular has obscured most of the early views and vistas that existed until the early 1950's. With different ownership of the church lands, Fernhill and the public road reserve, in combination with agreements for BioBanking and Penrith Council's position (as set out in the appeal over the school development) on the importance of natural vegetation there now appears to be little potential to recover the colonial views and the seamless landscape link between the church and Fernhill.

The Land and Environment Court decision is of importance in considering the value of views and vistas in relation to Fernhill (refer to discussion under views in section 3.4.13).¹³⁹ The Court approved the school development with conditions, including protection of the woodland areas of the site, and it was scheduled to commence in 2013-14.

In late 2012 the Tripp family took out an option to acquire Fernhill with the receivers retaining ownership and an interest in relation to development of lands outside the heritage curtilage. The Tripps have undertaken considerable maintenance and conservation works as well as works to the broader site as discussed later in this study. Part of that process has been the creation of BioBanking agreements over considerable portions of the Fernhill lands.

¹³⁹ Land and Environment Court Decision Stanton Dahl Architects v Penrith City Council [2009] NSWLEC 1204

2.5 Property Owners

Table 1: Property Owners of Fernhill

Date	Owner	Comments
1810-1868	Edward Cox	He was aged 4 at the time of the original land grant of 300 acres (121 hectares) House was built by 1845
1868-1888	Edward King Cox	He inherited the estate from his father on his death in 1868 (eldest son of Edward Cox)
1888-1896	Edward Standish Cox	He inherited the estate from his father on his death in 1888 (son of Edward King Cox)
1896-1906	Frederick Thomas Humphrey and Edward Perry Simpson	House was occupied by Richard Beindge Baynes and his family (c. 1900 – 1926)
1906-1924	Henry James Bell	
1924-1930	Annie Augusta and Richard Beindge Baynes	
1930-1955	Hilda Mary and George Sydney Moyes	
1955-1980	John and Angela Darling	
1980-2012	Owston Nominees No. 2 Pty. Ltd	Warren and Cheryl Anderson occupied the property
2012 -	Angas Securities Limited with Simon and Brenda Tripp	Occupied the property December 2012

2.6 Landscape Design in the 19th Century

Fernhill has been described as having a ‘picturesque’ landscape. This certainly appears to be the intent of the Cox family in laying out the property and its early landscape form survived until the 1960’s. A brief history of landscape design in the 19th century is set out below to provide an understanding of the background and significance of Fernhill’s early garden, greater landscape and vistas.

The term ‘picturesque’ was used during the 18th century in a general sense to describe natural and designed landscapes that would make good romantic landscape pictures in the manner of 17th century artists. Picturesque was defined in 1794 as being characterized by qualities such as roughness, wildness, variety, surprise, irregularity and intricacy.¹⁴⁰ One of the prominent designers of this style was Lancelot ‘Capability’ Brown who, during the mid 1700s, landscaped many large private estates with smooth undulating grass, clumps, belts and scattering of trees and serpentine lakes formed by invisibly damming small rivers. This ‘gardenless’ form of landscape gardening swept away almost all the remnants of the previous formal styles.¹⁴¹

The appreciation of idealised classical and Arcadian landscapes, such as those designed by Capability Brown, also extended to picturesque natural scenery. Although by the late 19th century the meaning of the term had broadened to describe landscapes that were attractive

¹⁴⁰ Neale 2002:473

¹⁴¹ The Art of Gardening 2009

or scenic, the picturesque attributes of the natural scenery were recognised and appreciated during the early exploration and development of NSW. Some natural landscapes were 'tamed' to render them more picturesque (i.e. Cataract Gorge in Launceston). Many of the early estates had villas positioned in a semi-natural landscape to take advantage of the picturesque qualities in the natural setting or outlook. The design from scratch of a picturesque landscape was rare in Australia, which already had wild and unimproved landscapes that were naturally picturesque.¹⁴²

The use of trelliswork, climbing plants and creepers and shrubbery, together with a general increase in popularity of the Gothic style are attributes of the picturesque gardens. The bamboo clumps used at Fernhill are similar to those used at Bronte house in Sydney. The Italianate style was also popularly associated with the picturesque, such as classical details in domestic gardens, such as balustraded terraces or columned pergolas, both of which were used by Sorensen at Fernhill.¹⁴³

'Gardenesque' was a term first used by J.C. Loudon in 1832 to describe a style of garden design that could instantly be recognized as a work of art. This distinguished such gardens from those laid out in the picturesque style, which it was argued, were not distinguishable from wild nature, and so could not be considered as works of fine art. Central to the gardenesque style are plantings where the single plants are allowed to grow without touching other plants, or thinned out, so that as well as being decorative, their natural form and habit can be fully appreciated.

The influential gardening author Edward Kemp in 1850 in his *How to Lay Out a Small Garden* defined three garden styles - the old formal or geometrical style, the irregular gardenesque and the picturesque. With the wealth generated in NSW from gold and the pastoral industry, gardenesque styles of gardens became a sign of material success, with embellishments, grandiosity and display. Australian gardening books transformed and popularised the style as more Kemp than Loudon. Many however, followed Loudon's recommendation that if indigenous trees were used, they should be planted singly and "recognized as coming under the dominion of art".¹⁴⁴ Most of the 19th century Australian landscapes which have been described as picturesque may contain elements of the picturesque, but are better described as resembling an English park or as gardenesque. They may have irregular layouts, rough rockwork and rustic structures, but their design and plantings were intended to display the gardener's improving hand rather than to be mistaken for the work of unassisted nature.

The majority of Gardenesque examples have disappeared, however the Sydney and Adelaide Botanic Gardens still exemplify the style. Rookwood Cemetery is one of the largest Gardenesque landscapes. Bebeah in Mount Wilson, which was lived in by Edward Cox for a period of time, had a distinguished gardenesque landscape, as does Retford Hall in Darling Point.¹⁴⁵ There are many picturesque examples, such as Parramatta Park in Parramatta, Strickland House in Vaucluse and Wynstay Estate in Mount Wilson.

¹⁴² Neale 2002:474

¹⁴³ Tanner and Begg 1983:26, 31

¹⁴⁴ Morris 2002:248

¹⁴⁵ Beaver 2002:81; Tanner and Begg 1983:31

2.7 Chronology and Key Dates

Table 2: Key Dates

General Event	Date	Site Specific Event
Foundation of British settlement of Australia.	1788	
Captain Tench's expedition down the Nepean River	1789	
Arrival of William Cox (1764-1837) in New South Wales on the <i>Minerva</i> , accompanied by his wife Rebecca and four of his six sons	1800	
George Evans' expedition down the Nepean River	1804	
	1805	Birth of Edward Cox, son of William and Rebecca Cox
Captain William Bligh was appointed governor of New South Wales	1806	
George Caley' expedition down the Nepean River	1807	
Return of William Cox to England	1807	
Surveyor James Meehan surveys the Mulgoa Valley	1809	
Return of William Cox to NSW	1810	
Commencement of Lachlan Macquarie's term as governor of New South Wales	1/1/1810	300 acres granted to Edward Cox. The Fernhill estate is located principally on this land grant. The name Fern Hills seems to have been given as early as 1810. For some time the property (300 acres) was managed jointly with that of William Cox by the overseer James King with help from Cox's sons, George and Henry, and later Edward.
Mulgoa Cottage to the east of Fernhill completed	1811	
Completion of road over the Blue Mountains, constructed under the supervision of William Cox.	7/1815	
Governor Macquarie visits the Valley.	10/1815	
	1820	Edward Cox returned to England to complete his education.
Major-General Sir Thomas Brisbane was appointed governor of New South Wales	1821	
George Cox (1795-1868) marries Elizabeth Bell	1822	
Henry Cox (1796-1874) marries Frances McKenzie	1823	
Commencement of development Henry Cox's Glenmore	c1823	
Commencement of development of George Cox's Winbourne.	c1824	

General Event	Date	Site Specific Event
Lt-Gen. Ralph Darling was appointed governor of New South Wales	1825	Edward Cox (1805-68) returned from England establishing his separate estates at Rawdon and later Mulgoa Cottage.
	7/1827	Edward Cox married Jane Maria Brooks (1806-1888) and the family lived at Mulgoa Cottage (to the east) for many years
	2/1828	Edward Cox's Mulgoa Cottage mortgaged to Henry Grattan Douglass
	12/1828	Assignment of mortgage from Douglass to James Barnett and others of London
Death of James King	1829	Birth of Edward King Cox at Mulgoa Cottage
Development of Cox family sheep runs on the Cudgegong River (the area of the township of Mudgee)	c1830s	
Major-General Sir Richard Bourke was appointed governor of New South Wales	1831	
	3/6/1834	Conveyance of Slade's 800 acres grant from William Cox's land to Edward Cox
	7/1835	Reconveyance of mortgage on Fernhill
Foundation stone of St. Thomas' Anglican Church was laid.	1836	
Death of William Cox	1837	
Sir George Gipps was appointed governor of New South Wales	1838	
	1839	The stable at the rear (west) is said to be built at this time.
	1/8/1840	Conveyance of Thomas Hobby's 196 acres 14 perches to Edward Cox from Henry Cox
	1840	Conveyance of 339 acres of Slade's 820 acres from Edward Cox to Henry Cox
	30/9/1842	Mortgage Edward and Maria Cox to Hastings Edwin and others
Mortgage of Edward Cox's land at Rawdon to the Australian Trust Co.	7/1844	
	1845	House at Fernhill was completed. Above the door is a date of 1842. The architect of Fernhill is not known with any certainty, but the house bears features suggestive of the work of Mortimer Lewis. The house was designed as a 2 storey dwelling.
Sir Charles Augustus Fitz Roy was appointed governor of New South Wales	1846	

General Event	Date	Site Specific Event
	Late 1840s	The property was singled out by Governor FitzRoy's aide-de-camp, Col. Godfrey Mundy, for the way in which its landscape had been moulded by thinning the native tree species.
	10/1847	Transfer of mortgage held by Hastings Edwin and others to Australian Trust Company
	17/9/1851	Reconveyance of mortgage to Australian Trust Company, and new mortgage of Edward Cox and Jane Maria his wife to John Nodes Dickenson
	1851	Mulgoa Cottage leased for 15 years.
Sale of Henry Cox's Glenmore	1852	
Sir William Thomas Denison was appointed governor of New South	1855	Marriage of Edward King Cox and Millicent Anne Standish in Ireland.
	18/1/1856	Reconveyance of 1851 mortgage
Founding of representative government in New South Wales.	1856	Birth of Edward Standish Cox at Mulgoa Cottage.
	1863	Railway from Sydney to Penrith completed.
	5/1868	Death of Edward Cox at Bristow Lodge, Goulburn. Fernhill and Mulgoa Cottage were passed to his eldest son, Edward King Cox (1829-1883) of Rawden, Mudgee, who carried out at Mulgoa Cottage a noted racehorse stud that produced several Melbourne cup winners.
	1878	Edward King Cox's merino wool wins grand prize at the Paris Exposition Universelle.
	7/1883	Edward King Cox died at Fernhill. The Fernhill estate was divided. 957 acres was inherited by eldest son – Edward Standish Cox. Herbert Montgomery Standish inherited Mulgoa Cottage
	1885	Fernhill horse stud was sold.
Centennial of European settlement in Australia.	1888	Death of Jane Maria Cox (Edward's widow) at Fernhill. House was then left vacant for a number of years.
	3/1888	Mortgage of the Fernhill and Mulgoa Cottage lands to the Commercial Banking Company
	9/1888	Assignment of Commercial Banking Company mortgage to New Oriental Bank
	3/1889	Mortgage of Edward Standish Cox to Walter Lamb and Robert McKenzie
Mulgoa Irrigation Act passed by the New South Wales Parliament. The Mulgoa Irrigation Scheme was promoted by George Chaffey and Henry Gorman. Fernhill was affected by the proposal.	12/1890	

General Event	Date	Site Specific Event
	9/1891	Agreement to sell Fernhill was signed by Edward Standish Cox and Arthur Winbourn Stephen of Mulgoa.
Mulgoa Shire Council was inaugurated.	1893	
	15/5/1896	Transfer of mortgage of Walter Lamb and Robert McKenzie to Frederick Thomas Humphrey and Edward Perry Simpson. Edward Standish Cox defaults on mortgage and property is assigned out of Cox family ownership.
Sale of George Henry Cox's Winbourne.	1901	
Federation of Australia	1901	
	1/10/1906	Conveyance of Frederick James Humphrey and Edward Percy Simpson to Henry James Bell, grazier of Goulburn. Fernhill was tenanted by Richard Beige Baynes and wife Annie Augusta, Henry James Bell's daughter.
	21/1/1907	Mortgage of Henry James Bell to Alfred Tertius Holdsworth and Hon. Frederick Thomas Humphrey
	21/1/1907	Property was brought under the provisions of the Real Property Act. The applicant was Henry James Bell. Surveyed area was 957 acres 26 perches
	23/5/1908	Torrens Title was issued to Henry James Bell for the area of 957 acres 26 perches
Outbreak of war in Europe.	1914	
Winbourne was destroyed by fire	1920	
	7/7/1924	Transfer to Laura Godfrey Bell of Goulburn, widow of Henry James Bell
	17/7/1924	Transfer to Annie Augusta Baynes of an estate for life and Reginald Frank Beinge Baynes (son) of an estate in remainder
	29/9/1924	Transfer to Annie Augusta Baynes wife of Richard Beinge Baynes, gentleman
	17/10/1925	Mortgage to Australian Provincial Assurance Association Ltd
The American banking crisis and the onset of the Great Depression.	1929	
	9/7/1930	Transfer to Hilda Mary Moyes, wife of George Sydney Moyes, of Bellevue Hill from Australian provincial Assurance Association Ltd exercising power of sale
	30/6/1930	Mortgage to Australian Provincial Assurance Association Ltd.
Sesqui-centennial of European settlement.	1938	

General Event	Date	Site Specific Event
Entry of Japan into World War Two following the attack on the American forces at Pearl Harbour	1942	
End of World War Two	1945	
	14/11/1946	Mortgage discharged
	6/6/1950	Resumption of part of land by Department of Main Roads for realignment of Mulgoa Road
	31/7/1953	Transfer of part of land to the Water Board for the overhead ropeway used in the Warragamba Dam construction. The right of easement was released in May 1967
	23/11/1954	Mortgage to Rural Bank of NSW
	22/8/1955	Transfer to Moorilla Pty Ltd, a company owned by Mr John Darling
	1960	Six acres around house and the northern drive were gazetted in the City of Penrith Planning Scheme Ordinance as a place of heritage importance.
	6/4/1961	Easement over part of the land to the Electricity Commission of NSW
	1963	Refurbishment of house undertaken by John Darling completed.
	1966	Subdivision of estate into two lots - a lot of 926 acres, and a 25 acres curtilage around house and the northern right of way from Mulgoa Road.
	1969	Darling and garden designer Paul Sorensen reworked the garden around the house.
	7/9/1970	Title of Lot 2 of DP 541825 issued to John Darling for 25 acres around the house
Heritage Council of N S W established.	1977	
	12/1978	Interim Conservation Order (No 44) is placed on Fernhill by the Heritage Council of NSW
	6/12/1979	Subdivision of 49.8 hectares (of the 374.9 hectares) in the north-east of the property, for ownership transfer within the Darling family/estate purposes.
	23/9/1980	Fernhill was acquired by Owston Nominees No. 2 Pty. Ltd., a company owned by Mr Warren Anderson
	7/1981	Permanent Conservation Order No. 54 placed on Fernhill by the Heritage Council of NSW
	c1981-1984	Mr Warren Anderson undertakes extensive upgrading and new construction works, including extensive works in the grounds.

General Event	Date	Site Specific Event
	6/1984	Penrith City Council notifies the National Trust of Australia (NSW) of reports of unauthorised building work.
	1984	Lots 10 and 11 of DP 615085 of Fernhill were issued to Owston Nominees Pty Ltd.
	2/7/1987	The Heritage Council commenced legal proceedings against the owner substantial unapproved works undertaken on property.
Bicentennial of European settlement.	1988	
	1991	Fernhill unsuccessfully placed on the market.
Centennial of Australian Federation.	2001	
	12/2001	Bushfires extensively damaged the estate.
	2012	Fernhill is placed in receivership.
	12/2012	Simon and Brenda Tripp occupy the property and commence conservation works and maintenance.
	01/2014	Masterplan IDA submitted to Penrith Council.

2.8 Historical Themes

The Heritage Council of NSW established 35 historical themes relevant to the State of NSW. These themes correlate with National and Local historical themes. Historical themes can be used to understand the context of a place, such as what influences have shaped that place Fernhill Estate.

Table 3: Historical Themes

Australian Theme	NSW Theme	Local Theme	Example
2. Peopling Australia	Aboriginal cultures and interactions with other cultures	Activities associated with maintaining, developing, experiencing and remembering Aboriginal cultural identities and practises, past and present; with demonstrating distinctive ways of life; and with interactions demonstrating race relations	Derivative name for Mulgoa
2. Peopling Australia	Convict	Activities relating to incarceration, transport, reform, accommodation and working during the convict period in NSW (1788-1850) – does not include activities associated with the conviction of persons in NSW that are unrelated to the imperial 'convict system': use the theme of Law and Order for such activities	40,000 gallon stone reservoir constructed from ashlar stonework by convicts
3. Developing local, regional and national economies	Agriculture	Large estates	Various Cox family estates in Mulgoa including Fernhill; Piggery & chicken hatchery at Fernhill

Australian Theme	NSW Theme	Local Theme	Example
3. Developing local, regional and national economies	Mining	Activities associated with the identification, extraction, processing and distribution of mineral ores, precious stones and other such inorganic substances	Quarry at Fernhill used to construct house and other structures
3. Developing local, regional and national economies	Pastoralism	Activities associated with the breeding, raising, processing and distribution of livestock for human use	Development and improvement of stock of cattle, sheep and horses
4. Building settlements, towns and cities	Accommodation	Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities	Fernhill Estate
5. Working	Labour	Activities associated with work practises and organised and unorganised labour	Stonemasons were sourced from Ireland through the bounty system of immigration; the men lived in the 1839 stables while they built Fernhill house
8. Developing Australia's cultural life	Domestic Life	Activities associated with creating, maintaining, living in and working around houses and institutions	Development of the Fernhill Estate, especially the house garden
8. Developing Australia's cultural life	Religion	Activities associated with particular systems of faith and worship	Importance of visual associations with St Thomas Church when Fernhill was built; Cox family endowed the Church of England with funds and land in Mulgoa to provide for the construction of St Thomas Church; Cemetery contains the graves of members the Cox family
8. Developing Australia's cultural life	Sport	Activities associated with organised recreational and health promotional activities	Training of race horses at Fernhill
9. Marking the phases of life	Birth and Death	Activities associated with the initial stages of human life and the bearing of children, and with the final stages of human life and disposal of the dead	Fernhill House was completed four years after the birth of Charlotte in November 1839, which is carved into the lintel of the front door at Fernhill

3 Site Description

This Section provides a description of the Fernhill Estate, including its precincts, its various buildings and landscape elements, the views and vistas, its setting and ownership.

3.1 Site Ownership

Angas Securities Limited, who has been in control of the estate since it went into receivership, presently own Fernhill. Angas Securities Limited have entered a joint venture with Simon and Brenda Tripp to consolidate and extend the original estate and to seek development from the peripheral areas of the broader estate to provide for the future conservation, maintenance and management of the estate. The Tripps currently reside on the property and are managing the Estate, they have been in residence since December 2012. Their goal is to complete the joint venture and then to take over ownership of the consolidated balance of the property.



Figure 88: Aerial photograph of current area of Fernhill estate with estate boundary outlined in red Source: Google Maps 2013

The property overall occupies approx. 700 ha while the historic original grant land has an area of 435 hectares¹⁴⁶. The original grant area is inclusive of three allotments; Lots 10 and 11 in DP 615085 and Lot 2 in DP 541825 (Figure 89). This area is listed on the NSW State Heritage Register. A detailed ownership history of Fernhill since its original land grant in 1810 is provided in Section 3.5. Figure 90 indicates the recent addition of locally heritage listed land (LEP 2010) to the north and south of the State Heritage listed section of the property. The broader site includes three lots fronting Mulgoa Road, 6 lots in Mayfair Road and a large rear parcel of land fronting Fairlight Road that comprises two lots.

¹⁴⁶ Site area was previously noted as 404 hectares, however a titles search corrected an error.

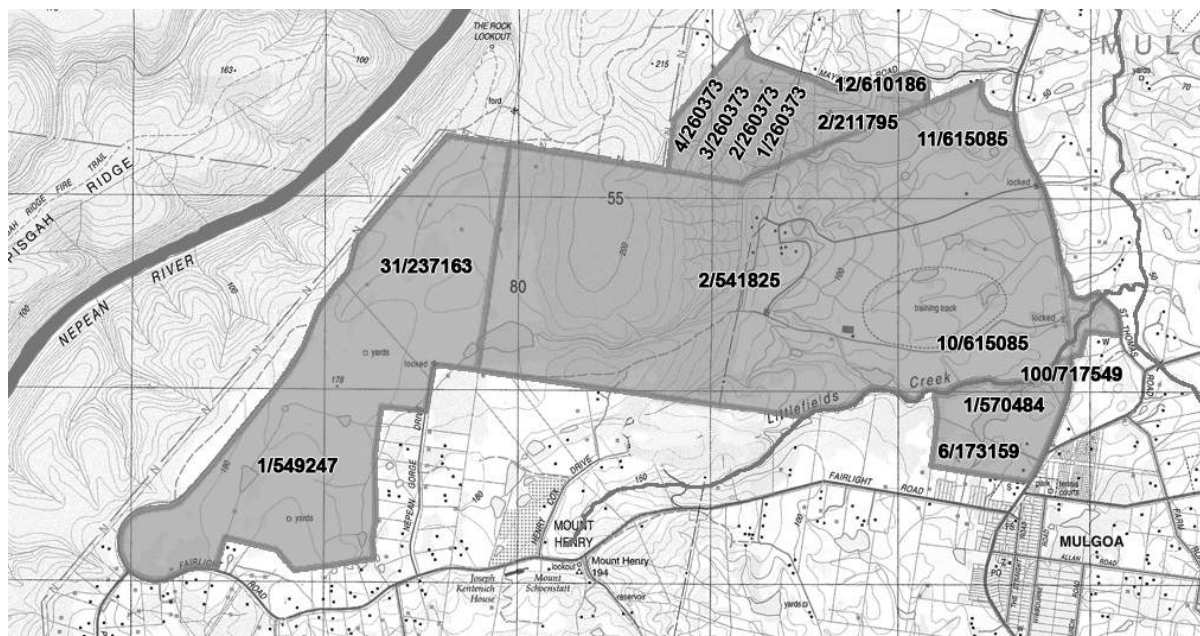


Figure 89: Site Plan showing the whole of the land currently forming the Fernhill Estate, with lots marked.

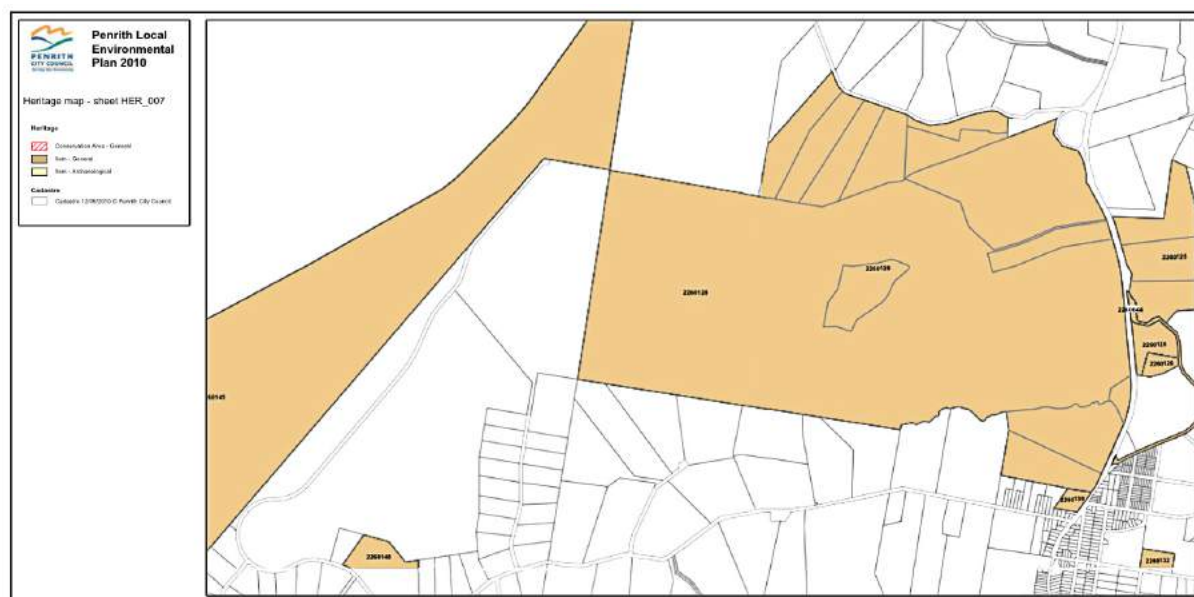


Figure 90: Extract from LEP 2010 showing heritage listed lands on and around Fernhill Estate. Fairlight can be seen in the lower left corner and St Thomas Church site and Cox's Cottage lands can be seen on the far right of the illustration.

3.2 Natural Environment

3.2.1 Geology and soils

Apart from Quaternary Alluvium associated with the major creek draining the area and a minor occurrence of Tertiary sediments, the surface geology of the Mulgoa area comprises a

small area of outcropping of Hawkesbury Sandstone and strata belonging to the Triassic Wianamatta Group.¹⁴⁷

There are four soils associations found in the Mulgoa Valley:

- Hammondville: derived from parent materials of the Hawkesbury Sandstone and Ashfield Shale;
- Cumberland: coincides with the Bringelly Shale formation;
- Mulgoa: consists of Tertiary sediments and is found in two zones along Mulgoa Road; and
- Nepean: consists of Quaternary Alluvium and is typically found close to the river on flats.

3.2.2 Topography

Mulgoa Valley is steep and hilly to the west with an extensive plateau zone around Fairlight. The topography varies in height from an average 100 metres above sea level to over 215 metres above sea level. To the east the land is more undulating, ranging in height from 40 metres to 100 metres above sea level.¹⁴⁸

3.2.3 Landform and Vegetation

Mulgoa Valley is characterised by creek flats, wooded hills and escarpment areas. To the west the Valley is steep and hilly, to the east it is more undulating and the creek flats and escarpment associated with Mulgoa Creek are central.¹⁴⁹ The natural landforms on Fernhill Estate include the hill where the house is sited, and the gently undulating hills and various tributary creeks through the property.

The property is located within the Western Sydney Region of the Hawkesbury-Nepean Catchment. The Nepean River sub-catchment is located downstream of the Upper Nepean sub-catchment, which contains significant dams and protected water supply catchments.¹⁵⁰ The Nepean River is located approximately 500 metres west of the property. Littlefields Creek borders the property to the south.

Under Penrith LEP 2010 much of the property is zoned Environmental Living (Zone E4), however the land east of Mulgoa Road, the wooded hill behind the house and the western land beyond that and parts of the lots along Mayfair Road are zoned Environmental Conservation (Zone E2). This replaces an earlier site zoning that did not include these zonings but created flora and fauna corridors through the site. The environmental zoning has the potential to affect the heritage values of the property and does impact on how the estate is managed with regard to both its cultural and natural values.

As Fernhill's landscape varies in its relation to its physical environment and function, this report divides the landscape into the following precincts or areas¹⁵¹ that are used only for the purpose of description and convenience, that is, the estate is not managed as separate areas (Figure 91).

¹⁴⁷ Kinhill Stearns 1983:3-3

¹⁴⁸ Kinhill Stearns 1983:3-3, 3-6

¹⁴⁹ Kinhill Stearns 1983:3-6

¹⁵⁰ Hawkesbury-Nepean Catchment Management Authority 2010

¹⁵¹ These ten landscape areas are referred to throughout the report.

- 1: house garden;
- 2: west and north of house garden;
- 3: south of southern driveway;
- 4: east of house;
- 5: north of house and northern driveway;
- 6: western portion of Fernhill Estate;
- 7: eastern portion of Fernhill Estate;
- 8: southern lots on Mulgoa Road (Precinct 4 in the 1995 CMP);
- 9: northern lots fronting Mayfair Road (Precinct 1 in the 1995 CMP); and
- 10: western land fronting Fairlight Road (Precinct 3 in the 1995 CMP)

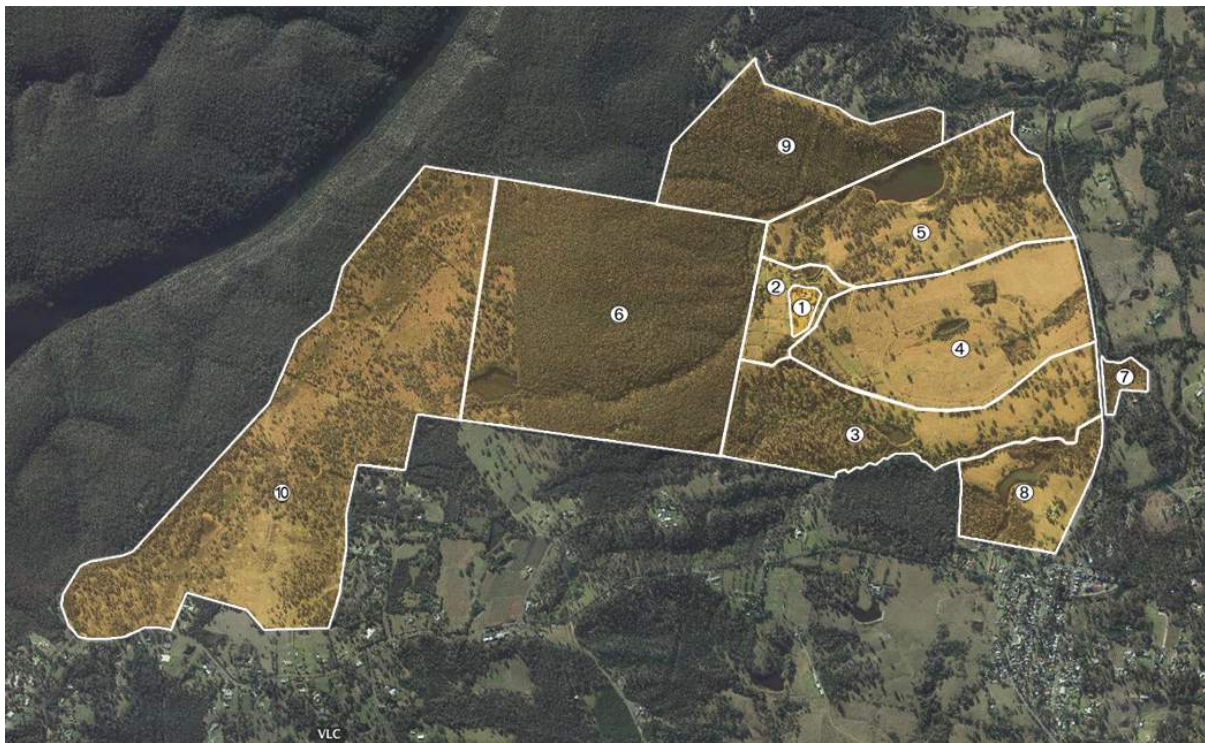


Figure 91: Fernhill's landscape precincts or areas.

Much of the present vegetation in the Valley, including Fernhill, has been cleared for grazing and other agricultural purposes. Dry sclerophyll forest covers uncleared or regrowth portions of the valley, which varies between open forest, woodland and low woodland communities. An important feature of the vegetation matrix in the valley area is the extensive parkland areas created by the selective retention of certain native tree species, particularly Rough-barked Apple (*Angophora floribunda*) and Broad-leaved Apple (*Angophora subvelutina*), while other native species were generally cleared.

Figure 92 illustrates the relative distribution of vegetation communities on the Fernhill Estate. There is Cumberland Plain Woodland throughout paddocks in Landscape Areas 3, 4, 5, 7, 8, 9 and 10, and along Littlefields Creek. Cumberland Plain Woodland is listed at the State and

Federal level as a critically endangered ecological community, the highest conservation status possible for vegetation communities.¹⁵²

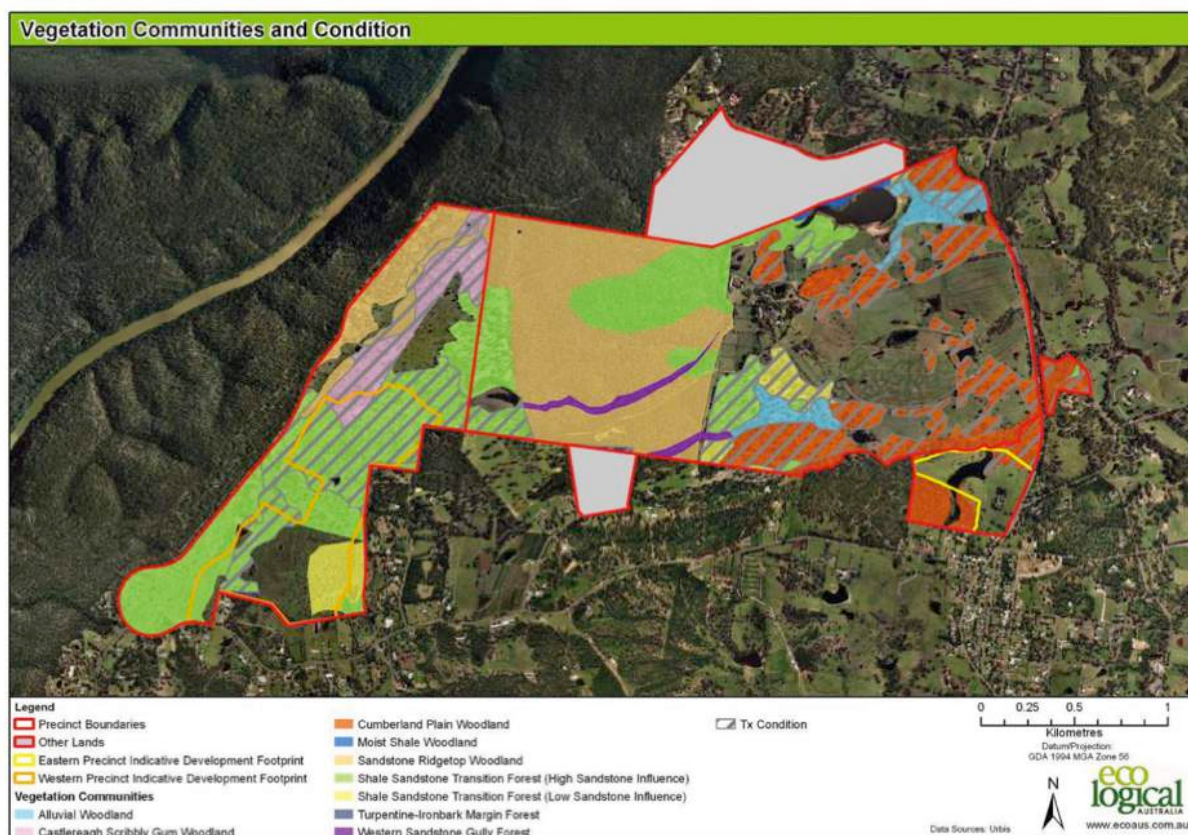


Figure 92: Vegetation communities on Fernhill. Source: Ecological Australia 2010:19

Cumberland Plain Woodland is the name given to the distinct groupings of plants that occur on the clay soils derived from shale on the undulating Cumberland Plain in central New South Wales. The most commonly found trees in the woodland are Grey Box Eucalypts *Eucalyptus moluccana*, Forest Red Gums *Eucalyptus tereticornis*, Narrow-Leaved Ironbarks *Eucalyptus crebra* and Spotted Gum *Eucalyptus maculata*. A variety of other lesser-known eucalypts as well as shrubs, grasses and herbs are also found. It is the dominance of Grey Box and Forest Red Gum that makes the community distinctive. This vegetation community was once widespread in the Plains but has been reduced to a few fragmented stands by human use for farming, industry and housing.¹⁵³

The remnant apple trees that line the southern driveway are part of the Cumberland Plain Woodland community, but are less frequent. The apple trees are also found within other vegetation communities.

There is Shale Sandstone Transition Forest throughout parts of the cleared parts of the Estate (LA3 & LA5), and in separate areas of Landscape Area 6 (LA6). This is listed at the State and Federal level as an endangered ecological community.

¹⁵² Endangered or threatened endangered ecological community under the *Threatened Species Conservation Act 1995* and the Commonwealth *Environmental Protection and Biodiversity Conservation Act 1999*

¹⁵³ Department of the Environment, Water, Heritage and the Arts 2010

LA6 is predominantly Sandstone Ridgetop Woodland with two small areas of Western Sandstone Gully Forrest (along creek lines). Both of these vegetation communities are in good condition and are not endangered.

There are two areas of Alluvial Woodland on cleared areas of Fernhill Estate (LA3 and LA5). This community is in relatively good condition and is not endangered.

There is a small area of Shale Sandstone Transition Forest in LA3 and LA3, which is listed as an endangered ecological community at State level only.

Section 5.1 of this Report notes legislative compliance and Section 5.2 discusses potential issues and opportunities for managing the natural environment on the Fernhill Estate. Section 5.3 addresses the Cultural Landscape.

3.3 Built Environment

Fernhill's built environment consists of a number of buildings and built elements including the former stables (c. 1839), the house (1842), roads, bridges, fencing, dammed lakes, and various farm buildings and structures. Section 5.4 discusses potential issues and opportunities for managing Fernhill's built environment.

In more detail the built elements of Fernhill are:

3.3.1 Former Stables (1839)

The stables building was constructed in 1839 as a single-storey building with sandstone walls and floors, the stone quarried from Fernhill. This was the first building constructed on the Estate. This building was refurbished by the Darlings and substantially rebuilt in the 1980s by the Andersons.

The skillion verandah on the eastern elevation appears to be an addition, the date is not known but prior to the Darlings occupancy. The verandah on the western elevation was added in the early 1980s. The external stone walls are original elements. Early accounts of the stables mention a saddlery, horse stalls, coach house, feed rooms and grooms' rooms above in the loft.¹⁵⁴

The presentation of the stables in 2014 is a stone building with a slate roof with two large verandahs. It is likely to originally have had a timber shingle roof like the house. The building is orientated north-south with gable ends and is set square to and roughly in alignment with the main house. There are four doors along the eastern elevation of the building and three distinct internal spaces. At the northern end of the building are timber stables, in the centre there is a room with timber joinery that used to be a saddlery and at the southern end are accommodation spaces that have been substantially reconstructed.

Overall the building retains its early form although now somewhat altered by the verandah additions and internal changes.

¹⁵⁴ Cartledge 1949 (in Davies 2005:70)



Figure 93: Former Stables Building, east elevation, looking south. Paul Davies 2013



Figure 94: Verandah on west elevation, looking south. Paul Davies 2013



Figure 95: Horse stalls at northern end of stables, looking west. Paul Davies 2013



Figure 96: Joinery in central section of stables; new sandstone floor. Paul Davies 2013



Figure 97: One of several rooms at the southern end of the stables that are used for accommodation including a kitchen.

3.3.2 House (1842)

The house was constructed between 1839 and 1842, however it may not have been occupied by Edward Cox and his family until around 1845. It is a single-storey ashlar sandstone building with an extensive basement. It was designed in the 'Greek Revival' architectural style, with the stone quarried from the estate. The house is said to have been designed as two stories, with the 1840s recession causing it to be built as a single storey building.¹⁵⁵ There is evidence on the external stonework of the intention to construct a second storey on the southern wing and the overall layout of the house prior to the late twentieth century changes suggests that bedrooms were intended to be added as a first floor as the ground floor layout did not readily accommodate bedrooms that would be commensurate with the scale of the house and its formal rooms. It is also likely that the main entry foyer would have been flanked by two matching formal rooms rather than the two small bedrooms that existed prior to the 1980 changes.

By the early 1890s the main roof slopes, originally clad in timber shingles, were sheeted in corrugated iron and the south roof colonnade and bow front were covered in a ribbed copper or lead sheet roof. Remnants of the original timber shingle roof were still in place under the iron roof when Darling purchased the property in 1955.¹⁵⁶ The Andersons replaced the roofing materials for the entire house and the stables in the early 1980s with slate tiles, which are still extant.

The main walls are large block finely dressed sandstone. The eaves are relatively narrow. There are several stone chimneys with terracotta pots. Guttering and downpipes are in copper throughout all replaced in the 1980s work. The main columns on the southern verandah are single pieces of turned sandstone. Columns on the northern verandah and

¹⁵⁵ Slate roof tiles over the colonnade on the south verandah were laid in 1963 using recycled materials; Davies 2005:106

¹⁵⁶ Darling pers. comm. 2003

central courtyard are timber. The openings to the east and south are French doors with a tall head height with transom lights. The windows and doors have both internal and external shutters.

The east elevation of the house retains the formal entrance, however it is no longer accessed by a carriage loop and is now rarely used. It has a central doorway and symmetrical windows to the Drawing Room and Master Bedroom. The north elevation principally fronts the former service wing with a deep verandah that provides stairs to the cellar and once accommodated a coal storage bin (now covered over). The south elevation has a distinctive bow front and colonnade around the ballroom with stairs to the garden. This extends to another service wing with doors and windows below a parapeted roof form. The west elevation incorporates the north wing (originally the kitchen and scullery and secondary bedrooms) and the south wing that was divided into small servant rooms and the cesspits at the western end (now kitchen and service areas, installed in the 1980s). The glazed terracotta chimney pots and slate roof tiles were installed on the north wing c. 1958-63.¹⁵⁷

The east elevation was built with a porte-cochere centred on the front entrance, that can be seen in historical photographs in Section 3.4, this was removed in the late 1950s. Historical sources note the porte-cochere was originally boarded timber and was later lined over in battened fibro-cement sheet (c. 1930s).¹⁵⁸ It was reportedly in very poor condition when removed by the Darlings.

The double entry door with side and transom lights provides access to the main entry foyer, above a shallow arched sandstone opening. The date of the house's completion is carved in a stone above the lintel of the front door on the east elevation. The south wing was extended to the west, around 1980. It was clad in sandstone, in a sympathetic manner, to form a new laundry over where the cess pit was.

The bulk of the house's early furnishings were removed and given to family member or sold after the death of Edward King Cox in 1883.¹⁵⁹

The original water supply for the house was stored in a reservoir at the rear (west) of the house. The water reservoir was cleaned out and roofed by the Darlings and later the Andersons had it lined and covered in loam and grass. Several historical accounts make reference to the gas lighting in the house in the 19th century and north-east of the house a gas plant was located that remained until the Darlings removed it. The gas fittings were likely to have been installed in the 1890s and were all removed in the 1960s.¹⁶⁰

The house is orientated to the south and east with its principal rooms with the original courtyard providing access to the kitchen (north wing) and servants' quarters (south wing). Various external and internal elements of the house were symmetrically planned. There have been alterations to the north wing of the house, such as the introduction of the parapet wall along the east end and the modification of a hipped roof on the east to a gabled form.

¹⁵⁷ Davies 2005:110

¹⁵⁸ Cartledge 1949

¹⁵⁹ Land and Property Information – RPA No. 14683, lodged by Henry James Bell, 21 January 1907; Society of Australian Genealogists – Will of Jane Maria Cox, Probate No. 16994, Reel 3033

¹⁶⁰ Davies 2005:90



Figure 98: East elevation of the house; original entry to house where carriage loop was located; climbing rose growing on the façade. Paul Davies 2013.



Figure 99: South elevation of the house. Paul Davies 2013.



Figure 100: West elevation of the house. Paul Davies 2013.



Figure 101: North elevation of the house. Paul Davies 2013.



Figure 102: Date of construction above the door lintel, east elevation, 1842. Paul Davies 2013.



Figure 103: Detail of stone verandah. Paul Davies 2013.



Figure 104: Detail of stone verandah. Paul Davies 2013



Figure 105: North elevation of laundry extension on south wing (1980s). Paul Davies 2013.

House Interior

The interior of the house has undergone extensive change over the last 50 years. Much of this work has reconstructed damaged and missing elements after many years of neglect and there is little doubt that the work saved the building from loss. The various phases of work also involved major changes to the layout of the house and how the building functions, the interior fabric and the overall 'readability' of the historic layout and form.

The following section considers the various spaces and the changes that have been made, in summary the major changes to the building have been:

- the northern bathroom addition
- the amalgamation of bedrooms on the eastern façade involving changes to fireplaces and doors
- moving features such as fire surrounds around the house to new locations
- relocating the kitchen to the south wing from the north wing
- removal of the separate servants rooms in the south wing to form the new kitchen and service areas along with an addition to that wing
- the subdivision of rooms in the north wing and infilling of the former kitchen fireplace
- the application of new finishes through a large part of the house with the exception of the major living rooms.
- new linings and finishes throughout the cellar areas
- bathrooms and kitchens were refit in the 1980s

In the 2005 CMP numbers were allotted to rooms within the house to assist in describing the spaces, which are illustrated below.¹⁶¹ The same numbers are referred to for consistency.

There are high skirting boards and elaborate architraves in the main rooms. New hardwood floorboards were laid in the main rooms between 1958 and 1963, and cedar skirting boards, doors and panels were restored or replaced and painted. Most of the ceilings in the house were replaced with new cornices and decorative scrollwork recast in plaster to match existing. The ornate papier-mâché cornices were salvaged where possible and reinstated.¹⁶² Imported fine papier-mâché ceiling and cornice details were sourced from the London manufacturer Charles Frederick Bielefeld for various main rooms in the house.¹⁶³ The walls in the main rooms are painted and rendered and covered with fabric, added c. 1984-85.

¹⁶¹ Davies (2005:90-92) conjectures about the original design of the house (two-stories) & its symmetrical features

¹⁶² Davies 2005:100

¹⁶³ Dyster 1989

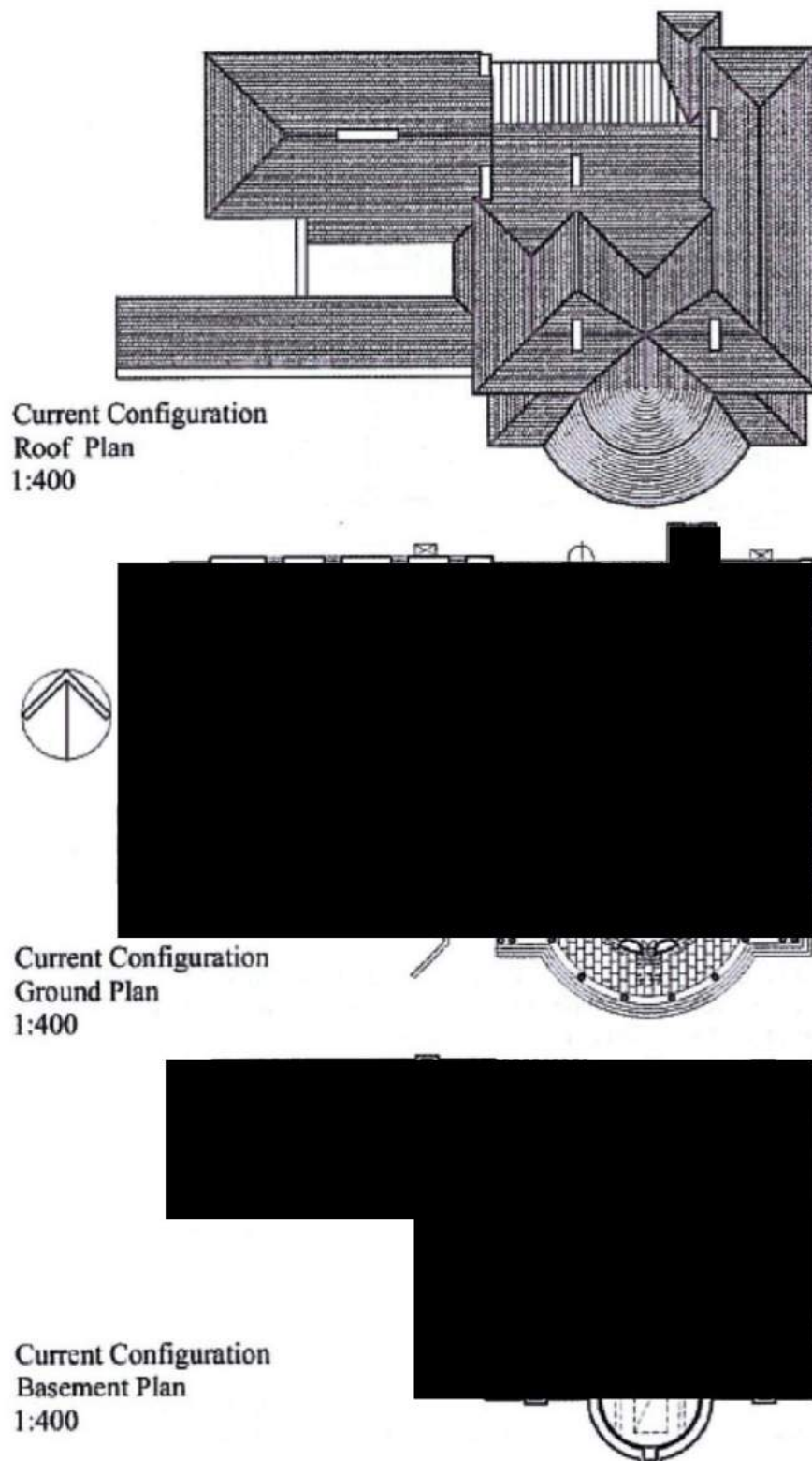


Figure 106: Current configuration and rooms number for house: Davies 2005.

Ground Floor Rooms

G01: Main Entry

This room has always been the main entry to the house, although it was formerly through the porte-cochere and the carriage loop, and it was referred to on 1960s plans as the vestibule. Sandstone flagging on the floor is laid diagonally to the walls. The walls are painted to give the effect of marble. Entry is through two large timber doors with detailed architraves. There are two niches either side of the door through to the main hall (G02). The ceiling is painted with an ornate ceiling rose. The ceilings and cornices were altered by Darling. A marble fountain sat in the centre of this space in the 1960s.¹⁶⁴

G02: Hall

The main hall provides a formal entry from the main entry (G01) through to the ballroom (G04) and dinning room (G06). The sandstone flagging on the floor is laid diagonally to the walls. The walls were painted to give the effect of marble. The ceilings and cornices were altered by Darling in the early 1960s. The marble effect was added to the walls in the 1980s and has been more recently removed. This space is widely believed to have been the proposed location for the stairway to the upper floor (never constructed). There is a timber reconstructed ceiling frame and skylight over the entry hall, which was replaced by Darling.

Main Entry (G01) and Hall (G02)



Figure 107: Main Entry (G01), looking north. Paul Davies 2014



Figure 108: Hall (G02), looking east towards Main Entry (left) and door to Drawing Room. Paul Davies 2014 (right)

G03: Sitting Room

The Sitting Room is entered off the Main Entry. The floor is carpeted, likely over timber floorboards. The walls are covered with a fabric said to come from Paris with matching curtains.¹⁶⁵ The black marble chimneypiece was made by George Clewitt who had a workshop in Pitt Street, Sydney with marble that was quarried at Windellma near Marulan.¹⁶⁶

¹⁶⁴ Davies 2005:101-102

¹⁶⁵ Anderson, W. pers. comm. 2010

¹⁶⁶ Anderson, W. pers. comm. 2003

The timber surround is from a different part of the house and was reused for this fireplace in the 1980s.¹⁶⁷

Sitting Room (G03)



Figure 109: One of the windows on the east side of the room. Paul Davies 2014 Figure 110: Black marble chimneypiece on west side of the room. Paul Davies 2014

There are two high windows on the eastern wall that have internal and external shutters, an original or early design element said to protect the occupants. There is a double set of doors that access the southern verandah with internal and external shutters. This room was referred to as the Drawing Room on 1960s plans of the house.

G04: Ballroom (or Drawing Room)

Ballroom (G04)



Figure 111:: One of the windows off the southern bay colonnade. Paul Davies 2014



Figure 112: Gilding decoration on the ceiling. Paul Davies 2014

¹⁶⁷ Anderson, W. pers. comm. 2010

The Ballroom (or Drawing Room) has timber floorboards and fabric on the walls that match the curtains (Figure below). There is a black marble chimneypiece along the western wall. The ceilings and cornices were altered by the Darlings and the finishes were installed by the Andersons. The ceiling decoration in this room is the most ornate in the house with gilding. All doors to the Drawing Room are timber with six panels.

G05: Hallway

The floor is sandstone flagging laid square to the wall. There is a niche on the western wall. The cedar joinery above the doors in this hallway is as ornate as the joinery in the main rooms. This was the original hallway from the children's bedrooms (now rooms G16 and G17) to the dining room.

G06: Dining Room

The floor in the dining room is carpet and the walls are fabric like the other main rooms, however the curtains are a different contrasting pattern. The white marble chimneypiece is a new addition to the room with internal sandstone lining. The ceilings and cornices were altered by Darling and the finishes were installed by the Andersons. The cedar skirting boards are 53 cm high and unpainted (originally painted in most rooms with Andersons' taking back to finished timber). The doors have six panels with ornate panelling.

Dining Room (G06)



Figure 113: Dining Room overview. Paul Davies 2014.



Figure 114: Grey marble chimneypiece. Paul Davies 2014.

G07: Kitchen

The kitchen was formerly three servants' rooms each accessed from the courtyard. In the early 1960s this area was converted to a kitchen. The interior of the kitchen had a new fit out in the early 1980s following extension of the south wing to the west for the new laundry, including new polished timber floorboards, new painted timber panelled ceiling, interior lined painted walls and new cupboard joinery.



Figure 115: Kitchen, looking west. Paul Davies 2014.



Figure 116: Laundry, looking west

G08: Laundry

The laundry room was an extension to the house in the early 1980s with works undertaken by Stonehill Pty Ltd. The southern wing of the house was formerly servants' quarters and the western most portion of the wing was a cesspit.¹⁶⁸ The floors are new polished timber floorboards and the interior lined walls are painted. There is considerable structural movement at the western end of the 1980s addition.

G09, G10 and G11: Cool-room, Bathroom and Cupboard

G09 is a cool-room, G10 is a bathroom and G11 is a cupboard, all constructed in the 1980s at the time of the laundry with new materials.

G12: Master Bedroom (formerly two bedrooms)

The Master Bedroom was originally two bedrooms with no ensuite bathroom. A bathroom was added at the eastern end of the northern verandah by Peddle Thorp Walker architects in the 1960s, however it was accessed via the hallway (now G13) or the door from the guest's bedroom onto the northern verandah. The door from the guest's bedroom to the northern verandah was further south than the existing door to access the ensuite bathroom (refer ground floor house plan).

In the early 1980s the configuration of this room was changed further with the removal of the internal, possibly original, wall between the two bedrooms to form one room, which involved the reconfiguration of elements on the western wall, such as the northern door and fireplace.

The fireplace was located in the smaller master bedroom and the guests' room to the north did not have a fireplace. Each of the two original bedrooms had a window symmetrically located on the eastern wall. The floor in the master bedroom is now carpeted and the joinery is painted. There is fabric on the walls, similar to that in the other main rooms of the house. The condition of the wall finish behind the fabric is not known after the removal of the central wall and rearrangement of the room features.

It is likely that this combined room was designed as a formal sitting or drawing room matching the room on the opposite side of the hallway and that bedrooms were intended to

¹⁶⁸ The cess pit was not investigated prior to construction of the laundry extension; Davies 2005:111

be located on the first floor, probably of similar scale to the ground floor rooms along the eastern frontage. With the reduction in size of the house it appears that changes were made to the ground floor to accommodate bedrooms including dividing the front eastern room. This view is supported as the wall between the rooms was timber and built over the floor boards allowing it to be removed with minimal difficulty.¹⁶⁹

Master Bedroom (G12)



Figure 117: Western wall; central fireplace and northern door to ensuite



Figure 118: One of the windows on the east wall

G13: Hallway

The floor is sandstone flagging laid square to the wall. The hallway (G13) from the entry hall (G02) to the master bedroom (G12) does not have the same ornate decoration above the doorways like those in the hallway (G05) from the children's bedrooms to the dining room. This hallway was the original access to the northern verandah, providing access from the guest's bedroom (northern portion of master bedroom G12) from the verandah to the house. This hallway also provided access from the girl's bedroom (G16) to the main rooms of the house. This hallway was altered in the 1980s when the ensuite bathroom was no longer accessed by the northern verandah, but through the reconfigured layout in the master bedroom. It is not known if the door joinery in this area changed with the 1960s and 1980s alterations.

¹⁶⁹ Warren Anderson personal comment 2005.

Hallways (G05 and G13)



Figure 119: Hallway (G05), looking south; niche on western wall. Paul Davies 2014.



Figure 120: Hallway (G13), looking south towards entry hall (G02) with door to original master bedroom (far left). Paul Davies 2014.

G14: Hallway

This hallway is an addition to the house in the 1980s. Previously hallway G13 had a door at the northern end that provided access to the northern verandah. The 1980s reconfiguration of the layout of G12 meant that this hallway (G14) was created to provide access to the northern verandah through a new door to the west.

G15: On-suite Bathroom to Master Bedroom

This room was added in the 1960s by the Darlings and refitted by the Anderson's. The door at the northern end of the master bedroom originally accessed the northern verandah and this was a separate bedroom. The master bedroom was originally two bedrooms with the northern most section the Guest's Bedroom.

Internal and external view of new on-suite bathroom (G15)



Figure 121: Door to en-suite from master bedroom, looking west; originally this part of the master bedroom was a separate room



Figure 122: External view of en-suite extension (lower roof) on the north elevation of the house; the taller roof to the left is that of the master bedroom. Paul Davies 2014.

G16 and G17: Bedrooms

The two bedrooms (G16 and G17) were shown as the girl's bedrooms and nurse's bedroom on the 1960 plan of the house. The girl's bedroom did not have a fireplace, however the nurse's bedroom did. The walls in G16 are covered with fabric, like the master bedroom. The walls in G17 are painted. All joinery is painted and both floors are carpeted. The stone chimneypiece in G17 could be a later addition or reused from another room in the house (Figure below).

Bedrooms (G16 and G17)



Figure 123: Former girl's bedroom with new built-in cupboards, looking south (G16)



Figure 124: Chimneypiece in former nurse's bedroom, looking west (G17)

G18, G19 and G20: Hallway, Bathroom and Cupboard

These areas used to be the northern part of the dining room that formed a scullery, linen cupboard and access hallway from the bedrooms to the dining room and the kitchen in the north wing. There is a door at the northern end of the current dining room (G06) through to G20 which used to be the scullery. The linen cupboard (G20) has been converted to a toilet in the 1980s. The hallway (G18) is carpeted, the doors are six panelled, the walls are painted and the skirtings are polished timber.

G21, G22 and G23: Bedroom, Walk-in-robe and Bathroom

These three rooms were once one room known as the boy's bedroom (as indicated on a 1960 plan of the house). The fireplace was along the eastern wall. The much smaller bedroom (G21) overlooks the northern verandah and was only accessed through the northern end of the dining room. The walk-in-robe (G22) and bathroom (G23) were added by the current owner, removing the fireplace on the northern wall where the bath is now located. The floor in the bedroom and robe is carpet and the bathroom is tiled. All joinery is painted and the doors have 6 panels. Both windows to the north verandah have internal and external shutters and all the walls are painted.

G24 and G25: Hallway and Bathroom

These two rooms were originally the pantry and were refurbished in the 1980s to form two rooms: hallway (G24) and bathroom (G25). Changes include a new internal stone wall that now acts as the western wall of the hallway and a new door at the northern end to provide access to rooms further altered to become bedrooms and hallways. The pantry was formerly only accessed off the verandah of the internal courtyard.

Bedroom (G21) and Bathroom (G23)



Figure 125: Bedroom (G21), looking north-west



Figure 126: Bathroom (G23), looking north; originally part of bedroom with fireplace in location of bathtub

G26, G27 and G28: Bedrooms and Hallway

These two bedrooms and the hallway were originally one room with a dividing interior wall. On the 1958 plan of alterations to the house by architects Peddle Thorp and Walker they are shown as a sitting room (G28) and office (G27).

Hallway (G24) and Bedroom G28)



Figure 127: Hallway (G24), altered in the 1980s, looking north towards (G26) and door to bedroom (G27) Figure 128: Bedroom (G28)

The hallway (G26) was formed in the early 1980s when these rooms were further altered to become bedrooms and the stone stairs to the basement. Bedrooms (G27 and G28) both have painted walls and ceiling with a brass lighting fitting, they have sash windows (3 upper panes and 6 lower panes) with all painted window joinery, and a small painted timber skirting. The window to bedroom G28 was originally a door on the northern elevation, which was converted to a window with the 1980s changes. There are cracks on the wall of G28 near the window.

G29: Living Room

This room was originally the kitchen with the pantry to the east (G24). It was converted into two bedrooms in the early 1960s with a new kitchen in the south wing of the house. It was refurbished again in the 1980s to become a living room with a new door in the northwest corner of the room. The north wall is currently inset with Huon pine from Tasmania¹⁷⁰ with a timber and marble chimneypiece.¹⁷¹ The ceiling is painted timber panels added in the 1980s. The two sets of windows on the south wall of this room are sash windows (3 upper panes and 6 lower panes) with painted window joinery.

When this was the kitchen it had four fireplaces on the north wall, the floor was stone flagging and the main fireplace was in-filled by the 1950s to accommodate an early cast iron stove. Within the former kitchen wing roof space evidence of sloped ceilings remain above the new fixed ceiling.¹⁷² It is not known if the original fireplaces along the northern wall are still present behind the cedar panels, however the addition of the new door in the north-west corner of the room may have removed a chimney in this area. There may be evidence in the roof space of the original layout of this room.

¹⁷⁰ Pers. Comm. Anderson, C. 2010

¹⁷¹ The Huon Pine was purchased through Stan Hillier (Builder from Blue Mountains).

¹⁷² Davies 2005:99-100

G30: Bedroom

This may have originally been a servants' bedroom. On the 1958 plan of alterations to the house by architects Peddle Thorp and Walker it is shown as a bedroom. It used to have a doorway through to the room to the east which has been enclosed to form a bedroom with a new door to the living room (G29).¹⁷³

External door of Bedroom (G31) and interior of living room/office (G29)



Figure 129: External door to bedroom (G31) with brick courses above sandstone wall to south and west wall under verandah. Paul Davies 2013.



Figure 130: Living room/office (G29), which was substantially altered by the current owner in the 1980s, looking north-west. Paul Davies 2014.

G31, G32 and G33: Bedroom, Bathroom and Toilet

This was originally one room that was noted as the servant's common room on an early plan of the house. It was altered to form three rooms from 1958 by architects Peddle Thorp and Walker: a man's room with bathroom and toilet.¹⁷⁴ These rooms are currently used as a bedroom (G31), bathroom (G32) and toilet (G33).

Along the southern wall of the bedroom (G31) and part of the eastern wall of G29, where there is an external balcony, there is an unusual bricked arch and bricked course above seven courses of sandstone above the door. It appears that the southern wall of what is now room G31 has been rebuilt post 1960s, however the reason is not known.

G34 and G35: External Stairs

These two sets of external stairs lead to different areas of the basement. G34 are the external stairs from the northern verandah to the basement room B01. G35 is a set of stone stairs that lead to the basement rooms B11 and B12. The stair is overgrown with vegetation and requires maintenance.

¹⁷³ Rooms G30, G31, G32 and G33 were not accessed during the site visit in 2010

¹⁷⁴ Plan of house showing alterations by Peddle Thorp and Walker 1958 in Davies 2005:101

External Stairs (G34 and G35)



Figure 131: External stair to basement, looking east towards en-suite extension . Paul Davies 2013.



Figure 132: External stair and stone archway to basement, looking west. Paul Davies 2013.

G36: Internal Courtyard

The floor to the internal courtyard has always been sandstone flagging. There is a metal drainage grill in the centre of the yard and two along the wall of the south wing. The western side of the courtyard is screened by a high ashlar stone wall where there is a copper head and downpipe. The verandah skillion roof on the north wing has turned timber columns, which extends along the eastern side of the house to provide covered access to the south wing (current kitchen). The wooden columns are not original elements and are deteriorating at their bases.

Internal courtyard



Figure 133: Internal courtyard, looking east towards dining room. Paul Davies 2013.



Figure 134: Internal courtyard, looking west. Paul Davies 2013.

G37: Southern Verandah

The northern verandah has sandstone flagging and sandstone columns. The roof above the colonnade has an elaborate bowed timber frame. The Doric columns have an entasis form.

G38: Northern Verandah

The northern verandah has sandstone flagging and timber columns. There are several skylights along the verandah roof. The western end of the verandah has been infilled with a concrete slab and stone paving over the former coal chute. An access hatch remains providing access to the area. In the basement a brick wall was constructed to separate the coal chute from the main basement area. There is damage to some of the verandah posts and pavement with consequential damage to the roof and structure.

Northern and southern verandahs



Figure 135: Verandah on southern elevation (G37), looking west. Paul Davies 2013.



Figure 136: Verandah on northern elevation (G38), looking south towards basement stairs. Paul Davies 2013.

Basement Rooms

Ventilation to the basement is provided via high-level recessed banks with ventilation grills to the ground level above. The floors in the basement range from timber floorboards to sandstone flagging. The walls are all stone blocks, some clad in vertical hardwood boards or a half height dado. The basement walls are 2'6" thick. Some of the ceilings have been lined with cedar-finished timber boarding, which is likely to have coincided with installation of air conditioning systems. Others rooms in the basement have no ceilings. New structural columns and large timber beams have been introduced into some rooms and there is evidence of modern stone cutting and the new joists are smaller than the original leaving joist pockets exposed in the stone walls. Access to the basement is via two sets of stairs, one internal and one external off the northern verandah. The separate part of the basement is accessed from a third set of external stairs adjacent to the underground water reservoir.

B01 and B02: Basement Rooms

Both of these rooms have barrel vaulted stone ceilings and stone flagged floors. They were originally the wine storage rooms. There is a small vent on the northern wall of B01 and a covered opening in the floor below the northern wall. There are no vents on the wall of B02. There are double timber swinging doors with slit vents leading between rooms B03 to B02 and B02 to B01. These rooms are currently suffering damp issues and require urgent

conservation works. The floor in B02 appears to have been recently replaced, as there are no damp issues.

Basement Rooms (B01 and B03)



Figure 137: Basement Room B01, looking south. Paul Davies 2013.



Figure 138: Basement Room B03, looking south. Paul Davies 2013.

B03: Basement Room

The sandstone flagging in this room is recent. It originally had a dirt floor in this area. The ceiling has been lined with cedar finished timber boarding and there is an enclosed cupboard with a power-board on the western wall. There are double timbers swinging doors on both doorways that are lockable. There are two ventilation grills in this room to the ground level, on the southern and eastern walls. The sandstone blocks in this room are showing signs of salt attack, especially on the southern and northern walls. Investigations should ensure that the ventilation shafts are working effectively and that water is draining appropriately away from the building and not into the basement. There are timber beams on the ceiling supporting one timber column in the centre of the room. The previous and current use of this basement room is unknown.

B04: Basement Room

This room is situated under the ballroom with the same circular room configuration. The floor in this basement room was originally dirt and has had timber floorboards added by the current owner. The walls are sandstone blocks and partly clad in vertical hardwood boards at the southern curved end of the room and a half height dado along the other walls. There are two timber columns that are supported by timber beams running north/south along the ceiling, which is has been lined with cedar finished timber boarding with air-conditioning ducts visible. There are holes along the western and eastern walls under the ceiling height that may have been a decorative timber element along the ceiling of this room. There is no evidence in this room of salt attack or other water damage to the sandstone, however it is not fully visible with the timber panels on the walls, floor and ceiling. The previous and current use of this basement room is unknown.

Basement Rooms (B03 and B05)

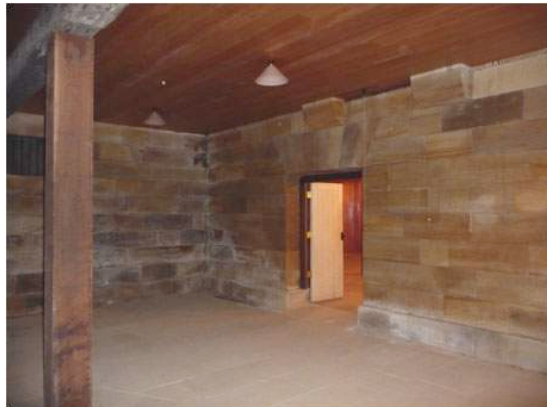


Figure 51: Basement Room B03, looking south-west towards B04.



Figure 139: Basement Room B05, looking south. Paul Davies 2013.

B05 and B06: Basement Rooms

These rooms are situated under the dinning room. They have timber floorboards and the ceiling is lined with cedar finished timber boarding. There are several timber beams running east/west across the ceilings in B05. Along the western wall of both rooms the sandstone blocks are fully clad with vertical hardwood boards, and along the eastern wall the sandstone blocks have a half height dado. There is no evidence in these rooms of salt attack or other water damage to the visible sandstone, however timber panels on the walls, floor and ceiling conceal the condition of the rest of the sandstone and should be further investigated. These rooms originally had a dirt floor prior to the 1980s alterations. The previous and current use of this basement room is unknown.

B07: Basement Room

The 1960 plan of the house notes this room was used as a grain cellar, and at the time it had a dirt floor. This room currently has timber floorboards and the ceiling is lined with cedar finished timber boarding. The sandstone walls have a half height dado clad in vertical hardwood boards. There is no evidence of salt attack or other water damage to the visible sandstone in this room, however timber panels on the walls, floor and ceiling conceal the condition of the rest of the sandstone and should be further investigated.

Basement Rooms (B05 and B06)



Figure 140: B05 and B06 looking south. 2010.

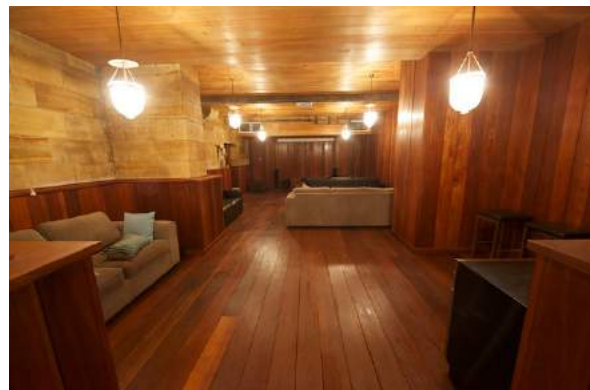


Figure 141: B05 and B06 looking south. Paul Davies 2013.

B08: Hallway

This was formerly a grain chute with a dirt floor, which has been covered over and a rendered wall inserted.¹⁷⁵ The southern and eastern wall is sandstone, and all walls have a half height dado clad in vertical hardwood boards. The extent of this room to the north is shown on the 1960 plan. Consideration should be given to investigate the condition of the original room form and whether it can be reinstated, and the condition of the sandstone behind the timber panels.

B09: Basement Room

This room is accessed off B10, both of which were used as a kitchen cellar. Both rooms had sandstone flagging, which is substantially cracked and fretting due to water damage. The water damage should be investigated and urgent conservation works undertaken. The sandstone floor should not be replaced in B09 or B10 as it has in B02 – repairs should be undertaken in-situ and as sandstone flagging should only be replaced as a last resort if it poses a safety hazard and can not be suitably repaired. There is a large circular arch between these rooms as a decorative feature. There is evidence on the southern wall of B09 of water entering the ventilation shaft, which does not have a grill. The ceiling in B09 is lined with cedar finished timber boarding.

Basement Rooms (B07 and B09)



Figure 142: B07 looking south. Paul Davies 2013.



Figure 143: B09 looking south. Paul Davies 2013.

B10: Basement

This room was originally the kitchen cellar when the kitchen was located in the north wing of the house. The curved cantilevered stone staircase in the basement was carved from the walls. The handrail and balustrade are original wrought iron. This room has sandstone walls and stone flagged floors. The ceiling is lined with cedar finished timber boarding. There are damp issues in this room, specifically on the northern wall and some of the stones on the floor are cracked. There is a bricked up vent on the western wall and another partly bricked up vent on the northern wall with intrusive pipes and a power-board. This vent may have been bricked up when the door to the northern wall of G28 was converted to a window in the 1980s. The causes of water damage in this room and B09 should be further investigated and urgent conservation works undertaken to ensure the long-term conservation of the original sandstone floor and wall. The condition of the ceiling is not known, but it should be investigated at the same time and on an annual basis.

¹⁷⁵ Davies 2005:105

Basement Room B10 and stair



Figure 144: Stone stair from hallway to basement in north wing. Paul Davies 2013.



Figure 145: Door detail showing erosion from B10 in basement to B8. Paul Davies 2013.

B11 and B12: Basement Rooms

These rooms are access via the external sandstone stairs on the western side of the north wing of the house. Both rooms are noted on the 1960 plan of the house as having sandstone flagging, however its original use is not known. These rooms are currently used for services to the house, to which there are intrusive elements in the walls, ceilings and concrete pads on the sandstone paving. The sandstone in this area is fretting and there is evidence of salt attack, which requires conservation works. Investigations are recommended in these rooms in relation to the water damage and potential intrusive services, and urgent conservation works should be undertaken.

Basement Rooms (B11 and B12)



Figure 146: B12 open room accessed via external stairs off north wing



Figure 147: B11 accessed through B12.

3.3.3 Other Buildings

The Entertainment Building was constructed north of the 1830s stables' building of a similar size. This building was constructed in 1982 (date on northern end) with sandstone walls, it replaced a smaller billiards room built by the Darlings.

The covered open garage to the east of the Entertainment Building (west of the house) was designed by Sorensen's replanning of the grounds for Darling in the 1970s. The garage has reinforced concrete floors, coursed sandstone rubble walls and a timber superstructure.

The Manager's residence was built in the early 1980s along with the open garage on the other side of the access road. The residence has sandstone walls and a slate tiled roof with timber columns on the verandah. The garage has a reinforced concrete floor, ashlar sandstone walls and a wooden superstructure with slate roof tiles.

Located in landscape area 2 are several structures and ruins of former buildings. The ruins of the 1980s workshop building are located west of the house and were damaged by the 2000 bushfires. The structure is load bearing brick masonry walls with a concrete floor.

Two aviaries are located in landscape area 2, both constructed in the 1980s. The long aviary has a reinforced concrete floor, rendered brick walls and steel superstructure and is no longer used since it was damaged by the bushfire in 2000. The circular aviary, which was also damaged by the bushfire, has a reinforced concrete floor, dressed sandstone block walls and steel superstructure, and is currently being used.

There are several sandstone rubble loose boxes in the paddocks west of the house in landscape area 2, which were all built in the 1980s. The roof of these structures is in slate.

All the works noted above were unapproved.

The ruins of a former winery are located in landscape area 2, west of the house and paddocks and south of the aviary structures. The structure is coursed ashlar rubble sandstone with two rooms. There are window and door openings on the west façade. Up to the 1950s the structure had a second storey, which was said to have been accidentally demolished by pillage from the overhead ropeway used by the Water Board to transport aggregate sourced from the Nepean River to the Warragamba Dam construction site.¹⁷⁶ The date of construction of this structure is unknown from historical records however it appears to be nineteenth century from its construction.

There is a hay barn north of the service driveway in vicinity of the orchards. A barn was in this location by 1970 but it is not known whether this is the same building now that has a sandstone exterior façade and red brick interior walls Anderson advised was constructed in the 1980s.

A gardener's shed, directly southwest of the house was built in the 1970s in coursed dressed sandstone as part of Sorensen's house garden. Another shed was built around the same time further south-west of the house adjacent to a small vegetable garden, which is a now a small vineyard.

By 1970 another farm building was located along the southern driveway with a set of stockyards that were constructed in the 1960s. A circular lunge yard appears on aerial photographs of the property since the 1970s associated with the stockyards in this location, which may have been covered with a timber shingle roof in the 1980s. This circular yard is still located south of the 1980s stables complex. The large stables complex, residence and

¹⁷⁶ Davies 2005:87 citing personal comment from John Darling

several outbuildings were constructed in the early 1980s in association with the racetrack. The racetrack and stables complex were added by Warren Anderson principally for the use of his wife, however the whole complex had relatively little use during his tenure.¹⁷⁷ There is no evidence of earlier use of the site for racing although there are references to the Cox family breeding race horses in the area.

The racetrack is a large element in the landscape of Fernhill – its timber fencing surrounding the track was partly damaged by the 2000 bushfires and the surrounding stand of pencil pines was completely destroyed in the fires. The race track itself has been carefully sited with relatively little change to the contours of the site, however fencing and infrastructure inevitably create visual changes within the landscape that could be argued to be intrusive. 2013 saw a formal race event held on the estate organised under Racing NSW and an initial 5 year licence to hold race events has been granted. This recognises that the track is of sufficient quality to accommodate official race meetings. The recent addition of a white inner racing rail (a requirement of Racing NSW to hold the race event) is to be modified to reduce its visual impact by painting the supports and frames a neutral colour.

A lake was constructed north of the house in the early 1980s, which included a stone pump house and retaining wall. This formed the main water source for the house replacing the stone reservoir to the west of the house.

Other Buildings at Fernhill



Figure 148: Entertainment Building, 1982. Paul Davies 2013.



Figure 149: Sorensen's Garage, c.1970s



Figure 150: Manager's Residence, c. early 1980s. Paul Davies 2013.



Figure 151: Manager's Residence Open Garage, c. early 1980s. Paul Davies 2014.

¹⁷⁷ Personal comment Warren Anderson



Figure 152: Ruin of workshop, c. early 1980s. Paul Davies 2013.



Figure 153: Long aviary (right) and workshop ruins (left), c. 1980s. Paul Davies 2013.



Figure 154: Circular aviary, c. 1980s



Figure 155: Sandstone loose rubble boxes in paddocks, c. 1980s. Paul Davies 2013



Figure 156: Ruin of winery, date constructed unknown
Source: Davies 2005:87



Figure 157: Hay barn, c. 1980s; north of northern access driveway in vicinity of orchards.



Figure 158: Gardener's shed, c. 1970s, directly south-west of house. Paul Davies 2014.



Figure 159: Vineyard Shed, c. 1970s, south-west of house. Paul Davies 2014.



Figure 160: Pump house and retaining wall to dammed lake north of house, c.1980s. Paul Davies 2013. Figure 161: Stables complex, c. 1980s, looking east. Paul Davies 2014.



Figure 162: Lunge yard with timber shingle roof south of stables complex. Paul Davies 2013. Figure 163: Racetrack east of 1980s stables complex and north of original southern driveway, looking east. Paul Davies 2014.

3.3.4 Walls, Fences, Bridges and Quarries

There are various retaining walls and fences around the property. Various reinforced concrete and stone faced walls act as animal enclosures and in some cases as changes of level, throughout the property, the majority of which were built by the Andersons in the 1980s. A c1980s stone wall extends the length of the main driveway and around the paddocks west of the house. This is a major site feature. It is a freestone wall with tapered shape that while a significant element does not relate to any historic forms on the site.

The quarry used to source sandstone for Fernhill's early buildings is located below the road that leads past the aviaries and workshop building to the north-west of the house. There is currently a concrete retaining wall between the aviaries and the road, which may date to the mid-20th century when the chicken hatchery was built in this location. A second quarry is located on the far bank of the creek opposite.¹⁷⁸

An earlier stone wall exists in several locations around the house garden, which has distinctive banding of large and small coursed sandstone rubble with a peak top course.¹⁷⁹ This stone wall may be contemporary with the house or possibly late 19th century.

There is timber post and rail fencing that forms paddocks to the south-west of the house and throughout the eastern section of the property, this was added by the Andersons during the

¹⁷⁸ Davies (2005:89)

¹⁷⁹ Davies (2005:82) notes this wall may be contemporary with the house; a wall does look likely in the 1947 aerial in this location.

1980s and 1990s. There is a high wire fencing in the area north of the house that was previously used to house rare animals first by the Darlings and later by the Adnersons.

Retaining walls, fences and bridges around property



Figure 164: Retaining wall below aviary along access road, date unknown. Paul Davies 2014.

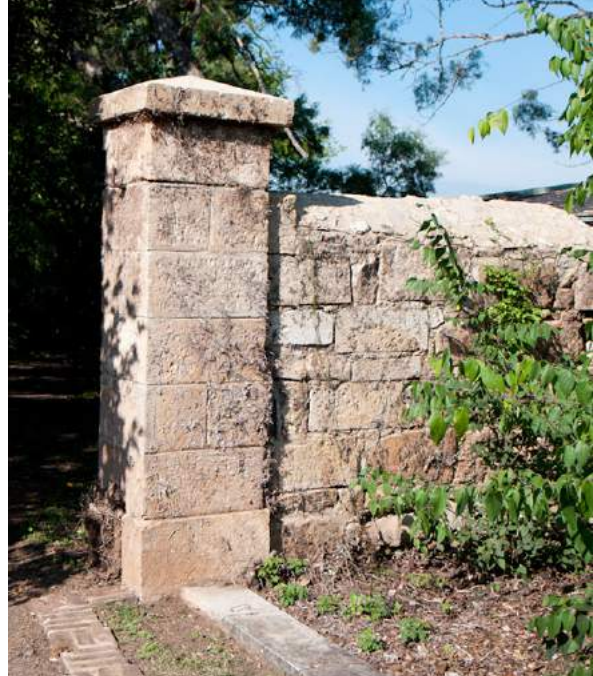


Figure 165: Early stone wall north-west of house, is contemporary with house. Paul Davies 2014.



Figure 166: Timber paddock fencing south west of house, c.1980s, looking north-east towards house



Figure 167: Race track fencing, c.1980s, looking north-west towards house from southern driveway. Paul Davies 2014.



Figure 168: Stone wall along driveway, 1980s, looking south showing an area of recent damage (since repaired). Paul Davies 2013.



Figure 169: Wire fencing to house deer, looking north-west, 1980s. Paul Davies 2014

There are two bridges that cross over a tributary creek from the southern driveway as it heads north towards the house. Stone bridges were original elements described by early visitors to the house along the carriage drive to the house. These bridges were partially rebuilt in the early 1960s.

Sandstone bridges



Figure 170: Southern bridge, looking south; Creeping fig (*Ficus pumila*) & Bougainvillea growing over sandstone bridge. Paul Davies 2014



Figure 171: Sandstone drain under southern bridge. Paul Davies 2005.



Figure 172: Northern Bridge approach, looking south towards second bridge around bend. Paul Davies 2014.



Figure 173: Eastern face of northern bridge, looking west. Paul Davies 2013.

In the early 1980s the eastern abutments of the two bridges were excavated and rebuilt and the western abutment of at least one bridge was rebuilt in reinforced concrete. Both bridges are constructed of sandstone blocks with drains underneath.¹⁸⁰

3.3.5 Access and Driveways

There are two main driveways at Fernhill: southern and northern, both accessed off Mulgoa Road. The southern driveway is the original serpentine carriage drive approach to the house that is through an avenue of apple gums (*Angophora flori-bunda* and *A. subvelutina*) that line the winding driveway through the property across stone bridges and gullies.

The current main entry off Mulgoa Road is flanked with stone fences with a timber gate, that was constructed in the 1980s even though the driveway was located to this position in the 1950s. The partial realignment of the southern driveway (for the first 100 metres or so) and current entry off Mulgoa Road changed when Mulgoa Road was realigned for the construction of Warragamba Dam (as shown on historical aerial photographs in Section 2). The driveway deviation was planted with trees, presumably by the Darlings.

¹⁸⁰ In Davies CMP (2005:81) there is a photograph of a barrel vaulted drain, which is under the northern bridge.

The date when the northern driveway was established is not known, however it is visible on the 1947 aerial photograph. The northern access gate is timber with a timber fence extending along Mulgoa Road. The northern or service drive was also diverted with the Mulgoa Road upgrade works, the entry being moved to the south to avoid the cutting on Mulgoa Road. There is no evidence of the earlier driveway visible in the landscape.

The original section of the main driveway that led to Cox's Cottage remains visible within the landscape with some remaining flanking trees however the entry point and any remaining elements of the early gates were removed with the Mulgoa Road upgrade works.

There is also a stone drain that runs along the northern edge of the southern driveway above the reflection pond. While its date of construction is unknown it is most likely to be part of the Anderson upgrade works of the site as the stonework is similar to the stone flanking walls.

Southern and Northern Driveway and Entry Gates



Figure 174: Entry Gate to Southern Driveway, 1980s. Paul Davies 2014.



Figure 175: Southern Driveway, looking west, alignment post 1950s. Paul Davies 2013.



Figure 176: Original carriageway alignment pre 1950s, looking east. Paul Davies 2013.



Figure 177: Change in driveway alignment, looking east; original carriage-way (line of trees on left) & current driveway (right). Paul Davies 2013.



Figure 178: Re-located entry Gate to Northern Driveway, 1980s. Paul Davies 2014.

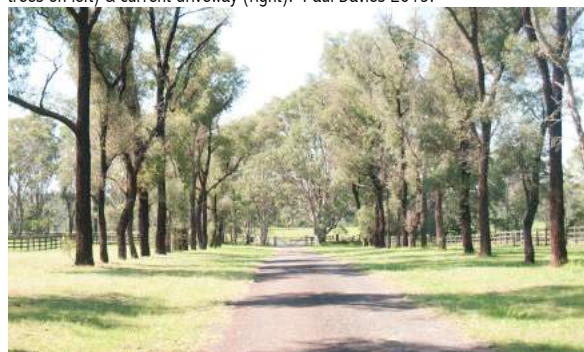


Figure 179: Northern Driveway, looking west (ironbark trees lining road are 1980s). Paul Davies 2014.



Figure 180: Stone drain along northern side of Southern Driveway in vicinity of original reflecting pond. Paul Davies 2014.



Figure 181: Intersection of Southern Driveway where it heads north over the two sandstone bridges. Paul Davies 2014.

The driveways around the house to the north and west were established throughout the late 20th century, clearly visible on aerial photographs in Section 3.4 and the analysis drawings. The roads throughout the property now have a bitumen surface, however they appear to be gravel and dirt roads prior to the 1970s.

Driveways around the house



Figure 182: Driveway north of house and dammed lake, both constructed early 1980s, looking east, joins property's northern access road. Paul Davies 2014.



Figure 183: Driveway directly east of 1830s former stables, looking south towards loop road designed by Sorensen to access the rear of the house. Paul Davies 2014.

3.4 Cultural Landscape

Fernhill was designed as a picturesque park-like landscape that developed through clearing of native vegetation and replanting with specific native species. Clustering of exotics plants near the house was also part of the original design. An important element of the picturesque landscape was significant views and vistas to the rural landscape both within the property and beyond (refer Section 3.4.13).

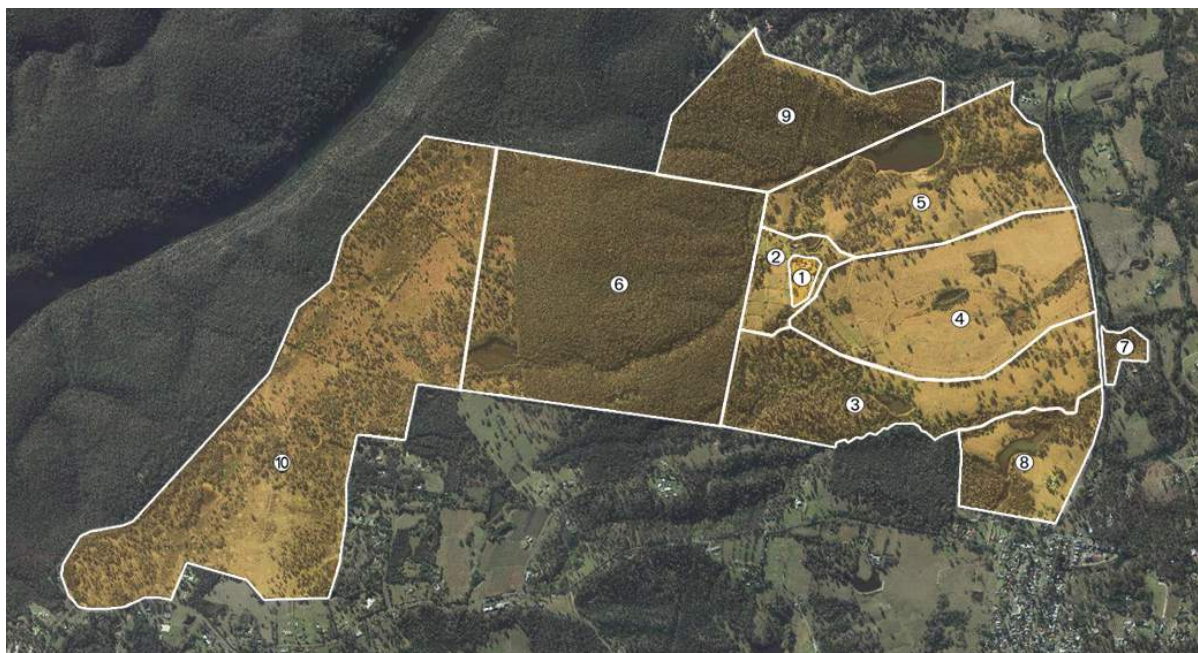
Fernhill's colonial landscape was substantially altered by landscape architect Paul Sorensen in the 1970s and early 1980s. The Andersons' made further changes to the cultural landscape throughout the 1980s including planting around the new dammed lake north of the house and throughout the property.

Fernhill's original land holding has also been extended during the last 30-40 years adding lands to the north, south-east and west. While these areas do not form part of the original grant they are linked to the main holding and in some locations are within the view shed of the house. In recognition of the contribution that some of these areas make to the setting of

Fernhill, parts of the extended site are now heritage items within Penrith LEP 2010 as part of the Fernhill setting.

A small portion of the area's natural environment exists on the western portion of the property (Area 6) and revegetation has occurred on many parts of the property.

Fernhill Estate has been impacted by a variety of invasive weeds and introduced fauna species that require ongoing management. Section 5.3 discusses potential issues and opportunities for Fernhill's cultural landscape.



Fernhill's landscape precincts or areas.

The following sections describe and discuss each part of the Fernhill landscape using the precincts set out earlier in this plan. For continuity of discussion this section firstly describes each area then discusses opportunities and constraints that may exist for the future use of the areas. This plan is not promoting particular uses or recommending development but rather is anticipating that there is likely to be consideration of options for development of parts of the estate to support the sustainable future of the property and parameters and guidelines are required to direct decision making about how development may take place and preferred locations if it is to take place.

It is anticipated that a master plan for the whole site will be developed arising from this CMP that will explore a range of potential uses and their relationship to the house, the estate and each other.

The estate also falls into several broader precincts than set out below:

- The house and its immediate garden and working setting is an area that needs to be considered as a whole.
- The open pastoral land, flanked by the driveways that extends from the house to Mulgoa Road is a landscape area that has integrity for its openness and needs to be considered in relation to the house and garden in particular.
- The wooded hill behind the house that extends into the woodland of the western precinct is a separate landscape unit.
- The remaining lands that flank these areas.

3.4.1 House Garden - Precinct 1

The house garden is defined as the landscaped area around the house (LA1), as largely modified by landscape architect Paul Sorensen.



Figure 184: Aerial of House Garden Source: Google Maps 2010

The northern edge of the house garden is framed by a pergola with Doric order sandstone columns (reused from the demolished Union Club in Bligh Street Sydney) and a timber superstructure. The ends of the timbers were detailed by Sorensen with a design that was sympathetic to the Georgian architecture of the house. The pergola is covered with White Chinese Wisteria (*Wisteria sinensis* 'Alba'). The timber elements are now in deteriorated condition. It appears that Sorensen raised the level of the garden to create a level lawn to the north of the house. The rear of the pergola has a mid height retaining wall separating it from the driveway that extends to the rear of the house. The lawn between the retaining wall and the house is largely on fill.

A rose garden is located directly west of the pergola that is now enclosed by tall hedges of star jasmine (*Trachelospermum jasminoides*) with the entrance arched with yellow Banksia rose. The rose garden was designed in the 1970s by Sorensen. There are sandstone steps leading from the rose garden to the garden area north of the house flanked by the pergola and a stone sundial sits in the centre of the rose garden. These garden areas were benched into the site by Sorensen.

East of the pergola is a paved car park and grove of Chinese elms (*Ulmus parvifolia*) that was laid out by Sorensen in the early 1970s. There is a large flight of paved stone stairs that lead from the car park to the northern area of the garden, the carpark is surrounded by a mid-height sandstone retaining wall. The stairs are the formal access to the eastern elevation and front door of the house. The car parking area, walls and stairs replaced the carriage loop that originally provided formal entrance to the house. Two lamp posts are situated either side of the stair and another set are located either side of the car park entrance. These works involved substantial changes to the land form in the area of the former carriage loop and driveway both excavating the area of the carpark and filling the front lawn area to create a more level platform adjacent to the house.

Landscape features in northern section of house garden



Figure 185: Garden north of house, looking east. Paul Davies 2014.



Figure 186: Pergola north of house, looking east. Paul Davies 2014.

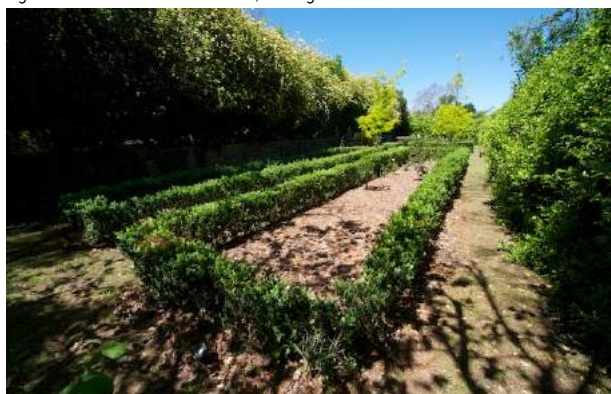


Figure 187: Rose garden, looking north. Paul Davies 2014.



Figure 188: Car parking area with Chinese elm grove (*Ulmus parvifolia*), looking south-west. Paul Davies 2014.

Directly west of the house is a formal garden designed by Sorensen and modified by the Andersons in the 1980s. There are several stone carved horse heads that line the concrete or stone paved paths in this section of the garden. Various roses and small shrubs are featured. A flight of sandstone stairs lead from Sorensen's garage through the west garden and to the rear of the house. Other paths and stairs are concrete and are likely to be later alterations by the Andersons.

Immediately to the west of the house is a covered water reservoir, which is likely to be contemporary with the house - it was lined in the 1980s and covered with a reinforced concrete roof slab. This tank was used for potable water, however when the Andersons built the large dam north of the house in the early 1980s, this now acts as the households water supply and the tank is not a primary source of water.

The former stables (1830s), Games building (1980s) and Garage (1970s) are situated to the north-west of the house. Various trees and flowers have been planted in front of the former Stables and Games buildings. Several mature eucalypt trees remain west of the former stables and Games building, that are now set down below the main ground level. It appears that the western side of the two buildings was filled to create a level platform that is retained with a large stone retaining wall that forms the eastern edge of the horse paddocks beyond. Concrete and stone steps and ramps lead into this at the northern end of the complex. The Stables and Games room are now surrounded by lawns with paved verandahs.

Sorensen designed a looped driveway that extended from the 1970s garage to the rear of the house. This altered the formal vehicular approach and entry to the house as this is now the only vehicle access to the main house. The Andersons later lined this looped driveway with hedges that block views in all directions and added a small Gardener's shed south-west of the house where there is now a small paved car parking area. Sorensen also designed another sandstone shed east of the vegetable garden, which is now adjacent to a small vineyard. The most used entry to the house is now via the kitchen in the south-west wing with vehicles parking at the end of the extended driveway.

To the south-west of the driveway loop is an open garden with mostly mature trees and some small shrubs. A small aviary is located in this area.

Prior to the Sorensen work access drives around the property were largely dirt tracks that had little definition. The extensive work in changing levels and creating retaining walls saw most the driveways formalised and regularised. This can be seen quite clearly when comparing aerial photos from the 1940s into the 1970s and 1980s. The earlier aerial photos show that the house had very little planted landscape around it, the house occupying the brow of the hill with land falling away in all directions with drives circling the rise. Views were available in most directions.

Landscape features in western section of house garden



Figure 189: Trees planted along driveway in front of Games building, looking south



Figure 190: Mature trees west stables and Games building, looking east



Figure 191: Garden directly west of house, looking east. Paul Davies 2014.



Figure 192: Wall along road south-west of house to car parking area showing damage to stonework. Paul Davies 2014.



Figure 193: Garden and small aviary (background) south-west of stables, looking south, garden designed by Sorensen. Paul Davies 2014.



Figure 194: Planted vines, 1980s (formerly the vegetable garden); shed, 1970s; south-west of house and tennis court. Paul Davies 2014.



Figure 195: Garden, retaining walls and paved footpaths directly west of house, looking east, terracing designed by Sorensen with later plantings. Paul Davies 2014.



Figure 196: Garden, retaining walls and paved footpaths directly west of house, looking south towards external courtyard, terracing designed by Sorensen with later plantings. Paul Davies 2014.



Figure 197: Sandstone steps from garage (left) to house, all designed by Sorensen in the 1970s. Paul Davies 2014.



Figure 198: Location of water reservoir, contemporary with house, covered over and lined in 1980s, looking south-west towards 1980s gardener's shed located in car park south of laundry. Paul Davies 2014.

The garden directly south of the house was substantially changed from its colonial form by Paul Sorensen. Until the Sorensen changes the land form effectively extended from the base of the stone stairs on the southern elevation across the hillside to the pastoral lands below, only traversed by the entry drive and clumps of decorative trees. The Sorensen work fundamentally change the relationship of the house to the pastoral landscape by creating filled platforms, retaining walls, ponds and a range of devices such as pergolas and decorative plantings to separate the house from its rural setting. While the Sorensen changes are of some interest they removed the colonial landscape setting of the house.

Elements of the altered southern garden include:

- a retaining wall and balustrade directly south of the house, which also extends to the south along the side of the tennis court below which is the pool house.
- the swimming pool (introduced by Sorensen) which has had its proportions altered to its current form in the 1980s. The pool is not visible from the house and was purposefully design as such by Sorensen.
- the tennis court was likely constructed in the c. 1920s. It was re-laid with a sealed surface and screened by star jasmine and banksia roses in the 1970s, and was relayed in loam in the 1980s.
- a timber pergola running east-west along the northern end of the tennis court
- a small stone retaining wall extending from the kitchen area that accommodated a change of level in the lawn.

South of the pool and tennis court there are Liquidambar styraciflua, Stone Pine (*Pinus pinaster*), Pinus sp. (*Pinus radiata*), Jacaranda (*Jacaranda mimosifolia*), Louis van Houtte (*Ulmus procera*) and various other cultural plantings. On the landscaped terrace south of the house are Pencil Pines (*Cupressus sempervirens 'Stricta'*) and remnant Weeping Cherries (most died between 2010 and 2012), planted by Anderson.

The terraced lawns south of the house include large Bunya pines from the Cox's occupation.

The garden to the east of the house appears to be part of Sorensen's design and contains a reflecting pond directly adjacent to the house. The island in the middle of the pond is accessed over a decorative wooden bridge, which replaced a less ornate timber bridge in the early 1980s. The summerhouse on the island was also established by the Andersons in the 1990s. The pond is on two levels with water pumped to the smaller upper level and cascading over two weirs to the main pond.

Landscape features in southern section of house garden



Figure 199: Garden directly south of the house, looking north-east. Paul Davies 2014.



Figure 200: Swimming pool c. 1970s, looking east. Paul Davies 2014.



Figure 201: Tennis court, c.1920s, looking north towards house. Paul Davies 2014.



Figure 202: Garden south of swimming pool, looking south-west, 1970s layout some earlier plantings and 1980s perimeter wall; Jacaranda (Jacaranda mimosifolia) foreground; Pinus sp. (*Pinus radiata*) background.



Figure 203: South-west corner of Sorensen's garden layout, looking south), Louis van Houtte (*Ulmus procera*) centre trees.



Figure 204: Perimeter stone wall around Sorensen's garden, added by current owner in early 1980s, looking north. Paul Davies 2014.

The loss of the carriage drive in this area in the 1970s followed by progressive building up of the garden in this location, in addition to further mature trees planted east of the driveway, has progressively contributed to the loss of views to the east towards St Thomas' Church, Cox's Cottage and the Mulgoa Valley. There are Willow trees (*Salix babylonica*) and Jacaranda (Jacaranda mimosifolia) planted around the lake by Sorensen.

The formal house gardens around the house are well established and the modifications to the land forms are major and significant and are largely not easily reversible. There are

aspects of the garden setting that are not particularly sympathetic to the overall setting of Fernhill and there is capacity to alter the formal gardens where the elements are not identified as sympathetic. Even though the Sorensen changes were dramatic in their impact on the colonial setting of the house, the now established gardens and terraces overall provide a good setting for the house.

Landscape features in eastern section of house garden



Figure 205: Looking east towards dammed lake, designed by Sorensen (1970s) with additional plantings by Andersons (1980s); Willow trees (*Salix babylonica*) & Jacaranda (*Jacaranda mimosifolia*) around lake. Paul Davies 2014.



Figure 206: View from timber bridge to island, bridge replaced by Andersons (1980s) an earlier bridge designed by Sorensen (1970s). Paul Davies 2014.



Figure 207: Summer house on island east of house, added by the Andersons (1990s); island was part of Sorensen's garden layout (1970s). Paul Davies 2014.



Figure 208: View to house from island, looking west, views to house from driveway are blocked by stone wall further to the east. Paul Davies 2014.

The establishment of the gardens since the 1970s and regrowth in former view corridors has caused loss of specific views overtime to the east to St Thomas Church, Cox's Cottage and parts of the Mulgoa Valley. Careful modification of the garden could be considered to recover views, to open the landscape setting and to remove some of the introduced elements that disrupt the open landscape form.

A house garden should remain as the immediate garden setting for the house. It would, however, be desirable to modify some aspects of the garden to recover some of the former open character of the outlook and to manage parts of the garden that are now quite

overgrown.

New elements within the garden could be added, provided they are sited appropriately, do not disturb the garden setting or key views of the house from the garden and are subservient and ancillary to the house. While landscape changes could be made there should be no further development within the frontage of the colonnaded verandah to the south or the main eastern façade.

Ideally the house will remain as a residence, however this would not preclude additional related uses around the building from time to time.

3.4.2 West and North of House Garden - Precinct 2

The landscape directly west and north of the house and house garden has undergone substantial change throughout the late 20th century.

Western Area

In the area west of the house garden once stood a winery building, several aviaries, a chicken hatchery (1958) and piggery (1950s). The chicken hatchery was converted to a plant nursery in the 1970s. The chicken hatchery had been removed by 1986 and an aviary and other brick farm buildings established north-west of the house. The circular aviary and workshop building were added in the early 1980s and the long aviary several years later. The shed and the aviaries were damaged by bushfires in 2000 and only the circular aviary is capable of re-use today.

Aerial of Landscape west and north of Fernhill house garden



Figure 209: Landscape north of house garden; Manager's Residence; [Source: Google Maps 2010]

John Darling advised that he levelled this area to construct the various farm buildings by removing the top of a small knoll and creating a raised platform around its edges. The areas of fill can be clearly seen in the land formation but the extent of other land modification undertaken at that time is not otherwise clear.

There are several fenced paddocks and stone outbuildings in this location with various plantings between the paddocks post 1980s. There is at least one Bunya pine and several other mature trees in the area between the Manager's Residence and the aviaries. Lantana is growing west of 1980s workshop ruin, which is currently a 'class 5' weed under *Noxious Weed Act* (see Figures below). The area has undergone various level changes with filling and levelling with areas now retained by stone walls. There are extensive plantings of exotic trees through this area from the 1980s onwards. The paddocks are fenced mostly with stone walls and wire enclosures and there are stone horse boxes in the main paddocks. It appears

that all of this work along with the other extensive changes made to the property were carried out without approvals.

The area is also traversed along its western edge by an easement for power lines that are supported on large steel stanchions that follow the alignment of the earlier ropeway constructed to move materials for Warragamba Dam. This alignment separates the farm areas from the bushland beyond.

The area is also traversed by a north-south roadway along the western edge of the paddocks onto which fronts the former winery.



Figure 210: Landscape west of house garden; paddocks with timber fencing and some stone walls, erected in the 1980s with bird aviaries and workshops.

The items of heritage significance that remain in this area are the remains of the winery and the surrounding early land formations and the alignment of the north-south driveway. It appears that all other structures, retaining walls and many of the levels are late twentieth century and of little or no heritage significance.

As many of the buildings and structures are damaged and are in full or partial ruin, there is opportunity, particularly in the north-west area, to remove the existing infrastructure and undertake new development. This area is one of the few level areas on the Estate that

would require little or no modification to land forms to achieve a future use or development.

Landscape west of Fernhill house garden



Figure 211: London Plane trees (*Platanus hybrida*) (foreground) and Stone Pine (*Pinus pinea*); looking north-west towards ruin of 1980s workshop building and aviaries. Paul Davies 2014.



Figure 212: Paddocks and small trees in grassy fields west of house, looking north-east, easement on left. Paul Davies 2014.



Figure 213: Paddocks and loose stone boxes west of house; looking towards location of winery ruins, aviary buildings and workshop building ruins. Paul Davies 2014..



Figure 214: Lantana (*Lantana camara*) growing west of 1980s workshop ruin; in vicinity of quarries; currently 'class 5' weed under *Noxious Weed Act*. Paul Davies 2014

Northern Area

The Andersons built a manager's residence in 1981 on the site of a former poultry shed, north of the 1840s house, that was a similar design to that at Elizabeth Farm.¹⁸¹ To the north east of the 1980s residence they built a large dammed lake and created another access road to its north along the top of the dam wall. Giant bamboo and a willow tree were planted along the road to the north of the lake and to the south there are pine trees and other shrubs. Recently the bamboo has been removed along with some of the dense pine tree plantings that had encroached on buildings, retaining walls, road and lake. All of these elements were constructed without approval and the recent removal of invasive planting was also undertaken without consent.

Sandstone stairs and a timber trellis with a climbing flowering plant are located off the service road connecting to the Manager's Residence. The area north and south of the Manager's Residence is grassed with several retaining walls and there is a small stone shed on the opposite side of the access road to the Manager's Residence garage. There are various trees and shrubs in the rear yard of the Manager's Residence.

¹⁸¹ Pers. Comm. Anderson, C. 2010

Along the northern edge of the access road directly north of the 1840s house is a photinia hedge and various trees (to the south) including olive trees. Some of these trees were planted by Sorensen, such as the Chinese elms. The hedge was added by the Andersons in the 1980s to screen the new Manager's Residence from the road and main house.

Landscape north of Fernhill house garden



Figure 215: Dammed lake north of house, 1980s, looking south. Paul Davies 2013.



Figure 216: Cypress Pines (*Cupressus sp.*) and other small trees on hill south of lake, 1980s, looking north; trees around south bank of northern lake block views to the north. Paul Davies 2013.



Figure 217: Sandstone stairs and arched timber trellis to Manager's Residence, 1980s, looking south-east. Photo taken 2010.



Figure 218: Willow tree and giant bamboo north of lake and access road to Manager's Residence, 1980s, looking west. Photo taken 2010.

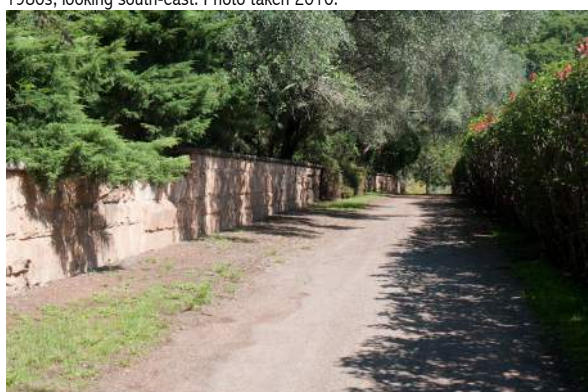


Figure 219: Hedge along northern side of driveway leading to rear of the house, opposite the car parking area and Chinese elm grove (*Ulmus parvifolia*) (left), looking west. Paul Davies 2014.



Figure 220: Conifer (*Juniperus sp.*) & Olive Tree (*Olea europaea*) in back-ground along driveway directly north of house, formalised by Sorensen in 1970s; plantings may be later additions. Photo taken 2010.

There is nothing within this area that has particular heritage significance and there has been considerable change to land forms and the addition of the house and the large dam that have made a considerable change to the earlier setting and appearance in this location. The area is out of site of the main house, partially through mature plantings and is now accessed by the lower access road that effectively separates the house entry from access to the northern and western areas. Opportunities may exist for some development within this zone.

3.4.3 South of the Southern Driveway - Precinct 3

This precinct is bounded by the racetrack and stables complex to the north, Littlefields Creek to the south, Mulgoa Road to the east and the Water Board Easement to the west.

The current main formal entry to the property is from Mulgoa Road, approximately 500 metres south of the original entry. As noted the entry was relocated in conjunction with the realignment of Mulgoa Road in 1949 to a more southerly location. Part of the now unused section of road is easily discernible in the landscape and remains flanked by several early apple gums. A random rubble stonewall runs parallel with the driveway from the entry gates to the stone bridges below the house, the Andersons constructed this in the early 1980s. It is a significant new element within the landscape. It is set back some distance from the drive retaining the park-like setting along the length of most of the driveway. The wall is in poor condition in some locations and requires reconstruction.

There is a small dam, formed in the early 1980s, located south-east of the 1980s stables complex. The area east of this and edged by Littlefields Creek is mainly open pasture. Littlefields Creek has become increasingly revegetated through the 1980s and 1990s. Between the creek and the southern access road, there is some natural vegetation (mostly various eucalypt varieties), small shrubs and grassy fields. There is an extension of Littlefields Creek directly south of the entry off Mulgoa Road.

Aerial of Landscape south of southern driveway



Figure 221: Native Apple (Angophora) trees that indicate original section of southern driveway (circled). Source: Google Maps 2010

Much of the south-west area has been progressively cleared of vegetation for bushfire safety and to remove various weed species. It is also now predominantly open pasture with clumps of trees.

Apart from the construction of the dam and the stone wall the land south of the driveway remains largely in its early form, that is open pastureland with areas of natural vegetation. The addition of the serpentine wall has changed the visual setting along the main drive as it restricts views across the southern pasture land, particularly as the land falls from the drive towards the creek alignment.

The area of land between the old and new entry roads is visually significant as the first open area of Fernhill seen on arrival at the property and it reflects the historical development of the site. The early driveway form is also of high significance with its flanking trees. The land to the south should generally remain as open pasture land, however some opportunities exist to locate uses within this zone that relate to the stables area and the rural uses of the property. If limited development were to be considered for this area it would need to relate closely to the stables complex in terms of use, be discrete in scale and form and not interrupt the open rural character of the arrival and entry to Fernhill.

It is also noted that environmental studies (that form part of a development application that is being lodged with Penrith Council) and BioBanking Agreements have determined that parts of this area have high bio-diversity value and as a result BioBanking agreements have recently been put in place to protect some of the natural values of the site along with cultural heritage values. There will need to be careful consideration of interface between natural and cultural values to achieve the desired open rural character for most of the property with other areas protected for their natural values.

Littlefields Creek and vegetation south of southern driveway



Figure 222: Littlefields Creek



Figure 223: Pasture on south side of stone wall and southern driveway, looking west

3.4.4 East of House - Precinct 4

This precinct is bounded by the two access roads, Mulgoa Road to the east and the house garden and access road to the west.

The landscape to the east of the house provides picturesque views from the house and its immediate garden to the Mulgoa Valley in the distance and the pasture lands in the foreground.

The outlook from the house once included views to St Thomas Church, located picturesquely on a small rise and possibly to Cox's Cottage, although this diminutive building is set down behind a small knoll limiting any direct views between Fernhill and the building. Over the last three decades, in particular, the Cumberland Plain Woodland has revegetated on parts of the Fernhill site, the road reserve and the church lands removing direct views and vistas between these historic elements, noting that the road deviation in the late 1940s created the physical break between the church and Fernhill lands. The views, that remain are still important and fine but are more immediate, that is within the property, or more distant to the valley beyond.

An early remaining feature of this precinct is the reflecting pond, located north of the southern driveway close to where it heads north towards the house (and currently south-west of the 1980s stables complex). This was part of the original design of the property from the 1840s where the drive curved around the pond giving the visitor a planned view to the house on the rise above, reflected in the pond waters. A stone retaining wall and timber fence around the pool have altered its appearance and in combination with the now quite dense vegetation located between the pool and the house and bridges (particularly to the west) and the changes to the house garden through terracing and the addition of walls, the historic view to the house across this pond has been lost. The pond and its curved drive however remain as important elements of the landscape. The western section of this area is also BioBanked. There is opportunity to carefully remove vegetation both outside and within the BioBanked area to recover some of the open aspect towards the house. It is also possible (as discussed elsewhere) to remove some of the later stone walling to provide views across the landscape.

This central pastoral area of the property was substantially changed, mostly during the 1980s, by the Andersons. The changes include: the construction of the racetrack; the construction of a stables complex; fencing for new paddocks and the creation of a new layout of paddocks related to the stables development; adding stone loose boxes to some paddocks; new plantings; the enlargement of several small dams; and various new areas of planting.

The avenue of trees that line the northern driveway was added in the 1980s although tree plantings existed prior to that time. There were three small dams located in the central area during the 1960s with another two being added in the 1980s (within the racetrack).

There are several Monterey Pines (*Pinus radiata*) directly south of the 1980s stables complex, adjacent to the Lunge yard. There were also stands of pine trees lining the racetrack, most of which were burnt in the 2000 bushfires. There are also stands of casuarina and willows around the smaller dams that are not reflective of the earlier form of the landscape. Much of the timber fencing through this central area has fire damage from the 2000 bushfire. Fire damaged items need to be either removed or repaired, however introduced tree plantings such as Monterey pines are not appropriate for the setting.

This precinct also contains the two stone bridges that form a feature of the entry drive. They have been largely reconstructed and somewhat altered in appearance with stone balustrades added to at least one bridge but they have also lost their picturesque setting as regrowth now obscures the approaching views to the structures and the views from the bridges towards the house. Ideally the adjacent landscape should be opened to allow the bridges to be seen from the approach road as it moves past the reflection pond and to allow views to the house and garden from the bridges.

The western edge of the precinct is flanked by a stone wall built in the 1980s that separates the entry drive from the house garden. The wall is not a dominant or even very noticeable element from within the garden when looking out, but it blocks nearly all views into the garden and to the house from the driveway as it winds around the curve of the hill. When first constructed the drive was purposefully located to reveal the house in the round with the visitor first seeing the house from the south and then moving around to the north. This is now lost, partially from construction of the wall but more significantly by the changes to land form within the garden that have removed the even gradient of the hillside. Consideration could be given to removing the wall or sections of the wall to open up the aspect of the house.

Construction of the racetrack resulted in the clearing of some of the early remnant vegetation in this area, the area once being dotted with individual and small clumps of trees that

would have provided picturesque elements when viewed from the house. The visual change to the open pastoral character is evident from the aerial photographs and from moving around the site. The racetrack generally follows the topography, that is there is relatively little cut and fill of the landform, and while apparent in aerial photographs, apart from its perimeter fencing, it is located comfortably within the landscape. It is noted that during the Anderson period that the edge of the racetrack was planted with an avenue of pencil pines, however these were largely destroyed in the 2000 bushfire and have since been, fortunately removed.

In the last year the race track has been upgraded with a new rail and an improved grass surface to accommodate race events. While use of the track is desirable, upgrade works must ensure that there is no additional visual impact from infrastructure such as the recently added railing.

The addition of the dams within this area and the dense planting around the edges of the water (items L3, L4 and L5) has also provided quite dense banks of planting when viewed from the front of the house and driveway. Consideration to removing or thinning areas of introduced planting should be given to recreate the smaller more random clumps of vegetation within the landscape.

Even though the area remains mostly open and the landform is close to its early overall form, the appearance of the central area is quite different with the addition of high timber fencing, the defined paddock layout and the fencing to the racetrack.



Figure 224: Aerial of Landscape east of house garden to Mulgoa Road Source: Google Maps 2010

The stables complex, while quite a large group of structures is well located in that it does not interrupt the views from the house and garden across the central area. The area around the stables had become deteriorated and there is potential to undertake upgrade of the structures but also to consider additional elements in this area provide they do not affect other visual qualities of the landscape.

Generally however, the central area of the site has little ability to accommodate new uses that require structures or significant landform modifications. Preferably the landscape

should be maintained and recovered as an open landscape with opportunities taken to reduce some of the larger areas of planting to recover the parklike form. The exceptions in terms of new development may be discretely located loose boxes or similar small structures around the periphery of the area.

Landscape east of house garden to Mulgoa Road



Figure 225: One of the dams directly north of the race-track with surrounding trees, c1980s. The grouping of casuarinas provides a solid visual screen in the landscape in contrast to the small clumps of scattered trees that previously existed. Paul Davies 2014.



Figure 226: Overview from house garden looking east. The open landscape is flanked by more solid plantings. Paul Davies 2014.



Figure 227: View over central precinct looking west. Paul Davies 2014.



Figure 228: Looking east towards one of the dams from the northern driveway below the house. Paul Davies 2014.



Figure 229: Trees are Broad-leaved Apple (*Angophora subvelutina*); stone and concrete fence added in the 1980s. Originally there were no stone fences in this location. Paul Davies 2014.



Figure 230: Reflecting pond, part of the original design of the property, 1840s; vegetation on pond and in vicinity, stone retaining wall and timber fence have altered the significance of this element and views to the house since the 1980s. Paul Davies 2014.

3.4.5 North of House and Northern Driveway - Precinct 5

The landscape area north of the house and the northern driveway entry from Mulgoa Road is bounded to its north by the property boundary running for most of its length along the creek alignment. The area includes a large dam, an orchard and associated farm building, various mature trees, grassy pastures, several enclosed animal pens (figure below), the creek and gorge to the west and areas of regrowth on the slopes north of the creek line. The original land grant and boundary of the SHI listing is approximately the alignment of the creek and the north side of the dam, the 6 lots fronting Mayfair Road are also now listed in the LEP heritage schedule for their contribution to the heritage setting (termed incorrectly 'curtilage' in the LEP citation) of Fernhill.

The dam was enlarged in the early 1980s. South of the dam is an orchard which was added in the early 1980s along with the stone-faced farm building set some distance back from the entry road. A large sloping paddock is between the orchard and the dam spillway. High cyclone-type fence were constructed for the deer enclosures in the 1980s in the western part of this area, which may have replaced earlier fencing. A smaller dam is located near Mulgoa Road in a small gully. This area is not visible from any parts of the estate except the immediate surrounding slopes. The northern section of the area, beyond the creek and close to Mulgoa Road connects to established residential lots and is open grassland with some tree cover. It is separated from the main Fernhill lands by the dam spillway and floodway area and the gully and watercourse that extends towards Mulgoa Road. The dam was built without prior approval.



Figure 231: Aerial of Landscape north of the house Source: Six Maps 2013

The western area is divided into paddocks with a scattering of eucalypts and presents as an open pastoral landscape. The paddocks extend close to the creek and dam edge where there is dense undergrowth extending into a gorge at the western end of the area. The area adjoins the workshop area to the west and is visually screened from most of the property. Another dam is located to the south immediately below the larger dam providing water for the house.

The landform of the area slopes up from the creek line with the pastureland falling gently from the entry drive towards the north, beyond the creek the land form climbs quickly to the north-west and as noted is largely wooded. The land is zoned as environmental protection for part of this area and is covered by BioBanking agreements.¹⁸²

Due to the gentle slope of the land to the north and the open tree cover, much of this area falls visually outside the core views and vistas that are available up and down the property, east to west. It is noted that much of this area is within the original Fernhill grant and forms part of the core estate, consequently consideration of uses and possible development has to be seen within that overall heritage value.

The area has some potential for future uses and development apart from pastoral uses. As the land falls away from the access road and is gently undulating there are areas of land that fall outside the view lines of the central property or from the entry roadway and where some development could be considered. There is also potential to further develop the area around the existing stone farm building for an expanded use on that part of the site.

Landscape north of the house



Figure 232: Road leading to large dam in north of property with various metal and timber paling fencing and native vegetation, looking north. Paul Davies 2014.



Figure 233: Northern landscape, looking north-east towards large dam. Paul Davies 2014.



Figure 234: Orchard to the west of the farm building north of the northern driveway, looking west. Paul Davies 2014.



Figure 235: Stockyards east of orchard and hay building, north of northern driveway.

The open visual quality of the landscape when viewed from the roadway or central area should be retained as a priority with any new uses or built elements located in the distance, out of view lines or in relationship to the existing buildings. Any new development should also not dominate the area and should be carefully screened and designed to fit into the rural setting. It would also be possible to create a secondary entry to the site through this precinct

¹⁸² Refer to Appendix 4 for details of BioBanking also Section 5.6 – 6 BioBanking

from Mayfair road as the extended property extends to that road frontage. This may assist in servicing the site.

3.4.6 Western Portion of Fernhill Estate - Precinct 6

The land west of the 1950s easement, that extends to the western boundary of the SHI listing, is mostly natural vegetation with some areas of Cumberland Plain Woodland and endangered Shale Plain Woodland. A large dam is located on the south-western edge of the precinct that is fed by natural springs and the land to the north of the dam is cleared and has been developed as open pasture.

Two quarries have been identified: one below the road that leads past the aviaries and workshop building to the north-west of the house (in an adjacent precinct) and a second on the far bank of the creek opposite.¹⁸³ A well-formed fire track provides access along the southern edge of the property that connects to the western lands beyond. There is a clearing half way along this track where there is metal stockyard fencing. There are also various stores of materials such as stone along the track. The track extends along the northern edge of the dam. The vegetated hillside is accessed via a number of fire tracks that criss-cross the hillside. The fire tracks are necessary for the management of the whole estate and adjoining lands. At various stages in the history of the site the hillside has been cleared, revegetated and subject to fire and further revegetation. It is now recognised as an area of natural woodland with environmental values that is not suitable for uses apart from ones that protect the woodland value.

Apart from the small pasture area to the western side of this precinct, the landform and vegetation determine that the area needs to be retained as woodland and maintained for its natural values. It is also of heritage significance that the wooded hillside forms the backdrop to Fernhill House and has done so for much of the history of the property. It is noted that the hillside is within the original core estate.

There may be some potential for new uses at the cleared western edge of the precinct.

Natural vegetation on western portion of Fernhill Estate



Figure 236: Cumberland woodland



Figure 237: Stockyards in clearing along fire track

¹⁸³ Davies (2005:89);



Figure 238: Aerial of Natural vegetation on western portion of Fernhill Estate Source: Six Maps 2013

3.4.7 Eastern Portion of Fernhill Estate - Precinct 7

When Mulgoa Road was realigned in 1949, a portion of the Estate remained on the eastern side of the new road, which is now bounded by St Thomas' Road to the north and east and the St Thomas' Church to the south. The area has had a substantial amount of revegetation since it was separated from the main estate, which is evident on aerial photographs of the property (below). There are no built elements except for a recent metal wire fence. There is

an open artefact scatter on this site and isolated Aboriginal site finds in the vicinity.¹⁸⁴ The site is traversed by Littlefields Creek.

Natural Vegetation east of Mulgoa Road



Figure 239: St Thomas' Church is at the bottom of the above aerial photograph, and Fernhill's current southern driveway entrance is on the bottom left. The original drive extended approximately from the end of the driveway extending east from St Thomas Road; Source: Google Maps 2010.



Figure 240: Vegetation on the east side of Mulgoa Road, which is part of the SHR listed property, looking east.

Over recent years the land has been neglected and is in poorish condition with some weed growth, particularly around the creek.

There is no potential to use the land apart from its current value as a regrowth area as it is located within the visual setting of the church and the former Mulgoa Road. Now with the clear separation of this land from the remainder of Fernhill, it is not seen or understood as part of the Fernhill lands, rather it is seen in conjunction with the church lands.

The land has recently been bio-banked as part of the broader BioBanking on the Estate and will be managed to recover its natural values.

3.4.8 The Extended Estate

The early grant of Fernhill has remained intact and is the core of the Fernhill land holding but the overall Fernhill land is now considerably extended beyond the early grant. From the 1980s the Andersons acquired adjoining properties to the north, west and south and apart from one small residential lot to the south that was recently excised the overall property includes the following lots:¹⁸⁵

- The land to the north fronting Mayfair Road as defined by Lots 1 – 4 in DP 260373, Lot 2 in DP 211795 and Lot 12 in DP 610186 (referred to as Precinct 8).
- The land to the south-east adjacent to Mulgoa village as defined by Lot 1 in DP 570484, Lot 6 in DP 173159 and Lot 10 in DP 615085 (referred to as Precinct 9).

¹⁸⁴ Austral Archaeology 2010; noted on Figure 3.2 in their draft report, May 2010

¹⁸⁵ Per com. Mr Warren Anderson

- The land to the west as defined by Lot 1 in DP 549247 and Lot 31 in DP237163 (referred to as Precinct 10).

3.4.9 South-Eastern land fronting Mulgoa Road - Precinct 8

Precinct 8 comprises land to the south-east of the historic boundary of Fernhill on the far side of Littlefields Creek. The area of the precinct is defined by Lot 1 in DP 570484 and Lot 6 in DP 173159 and lot 10 DP615085. This land forms part of the crown grant of 820 acres made to William Cox in October 1816. The property was later acquired by George Cox and added to his estate centred on Winbourne situated some distance away to the south. This area was part of George Henry Cox's land affected by the Mulgoa Irrigation Scheme of 1890, and neighbouring land to the east across Mulgoa Road was subdivided into residential lots as part of the Littlefields Estate. The land adjoins Mulgoa township and in particular the local school.

Aerial of Natural vegetation and dam on south-eastern portion of Fernhill Estate on Precinct 8.



Figure 241: The southern lots around the 1960s dam. Six Viewer 2013.

The aerial photograph of 1947 shows this area as substantially cleared grazing land with some tree cover near Littlefields Creek, a chain of ponds forming a tributary of this creek, and a number of small paddocks under cultivation. A cottage is shown at the south-east corner of property with frontage to Mulgoa Road. The Heritage Study of Penrith (1987) identifies this property as Woodlands (item no. MV-5), attributed to c1870, and possibly was

the post office between 1883 and 1893. The former slab cottage however may have been no older than the Mulgoa Irrigation Scheme. The building was destroyed in the 2000 bushfire.

By the time of the 1961 aerial photograph, the tributary creek had been dammed to hold a large pool of water, and extensive reforestation resulted in extensive tree cover along Littlefields Creek. This dam pre-dates its inclusion into the Fernhill holding. The cleared areas were also under cultivation. This pattern of land use is shown in aerial photographs of 1970 and 1986, and continues into the present with gradual woodland regrowth extending along the creek lines.

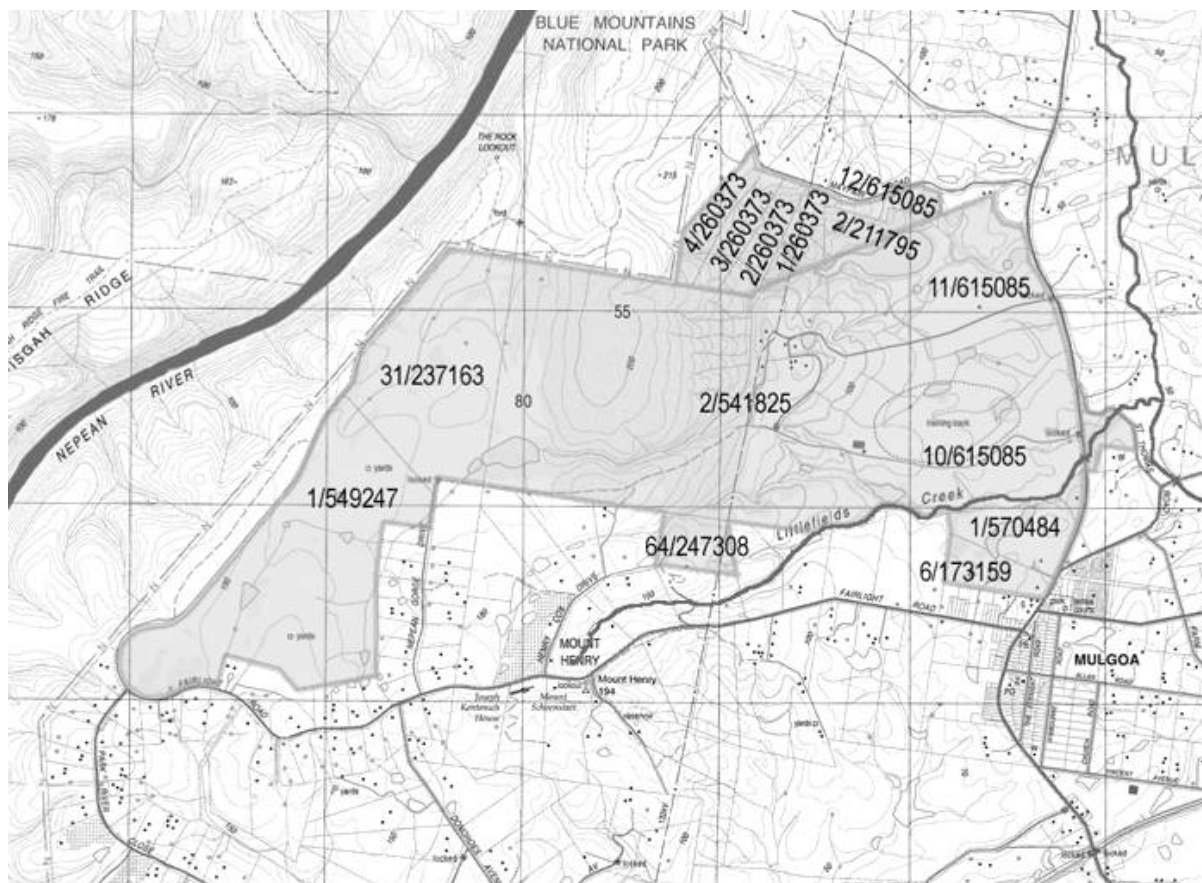


Figure 242: The extent of the land holdings owned by Owston Nominees No. 2 Pty. Ltd., which includes Fernhill. Note that lot 64/247308 was recently excised from the holding and no longer forms part of the property. Paul Davies Pty. Ltd., 2013

The 1947 photograph shows that the landscape through this area was largely open with some views between Fernhill and Mulgoa Village available. These are now largely obscured by vegetation and the development of the village and only one overview from the Mulgoa Road towards Fernhill House, and the view back from the house towards the road, remains. It should be noted that in 1947 Mulgoa comprised very few buildings and the outlook from Fernhill towards Mulgoa would have been unlikely to reveal many if any buildings in the light tree cover. It should also be noted that the land on the northern edge of Fairlight Road is quite densely vegetated and apart from the Fernhill lands prevents almost any viewing onto the Fernhill Estate.

Two residences have been erected following subdivision into semi-rural lots, one in the open pasture land and one within the band of trees to the north. Both of these developments are late twentieth century are not of any significance within the historic development of Fernhill. The former (not confirmed) Mulgoa Post Building was located in the south-eastern corner

of the site but was destroyed in the 2000 bushfires. These lots are heritage items in the 2010 LEP for their contribution to “the curtilage of” Fernhill. This clearly does not relate to the buildings or built elements that currently are on the land but rather the extension of the Fernhill landscape onto those lands. There is potential for new uses and development within this precinct provided that any significant heritage vistas are maintained and the development does not affect the visual setting of Fernhill.¹⁸⁶

3.4.10 Northern land fronting Mayfair Road - Precinct 9

Precinct 9 comprises land to the north of the historic boundary of Fernhill. The area of the precinct is defined by Lots 1 - 4 in DP 260373, Lot 2 in DP 211795 and Lot 12 in DP 610186. This land forms part of the crown grant of 640 acres made to Thomas Hobby in June 1810, and acquired by George Cox in 1815. Henry Cox acquired the land in 1825, adding to his estate centred on Glenmore some distance away to the north. The Glenmore estate remained intact until the commencement of subdivision in the 1920s.¹⁸⁷ However most of George Cox’s grant lands have now been sub-divided,

An aerial photograph of 1947 shows Mayfair Road was not formed at this time. The land was mostly cleared with scattered tree cover. By 1961 an aerial photograph shows that the tree cover had significantly increased. By 1970 some subdivision had occurred with a new house (to the north) being completed, some clearing on the lower slopes is also evident. Mayfair Road however at this time was still an unsealed road. By 1986 Mayfair Road had been sealed and extended west. The lower slopes of the lots are still cleared, with increased tree cover elsewhere along its length.

The 2000 fires removed a significant amount of vegetation along the southern edge of Mayfair Road providing a more open vista to and from the Fernhill site, but over the last 13 years there has been significant regrowth across the upper slopes. There are cleared areas extending along the edge of Mayfair Road and in the lots at the eastern end of the group.

While these lots are separate from Fernhill they are now heritage listed in the 2010 LEP for their contribution to Fernhill. Part of the land is also zoned for environmental conservation.

It is also not certain at this stage of the finalisation of the liquidation of the property whether all or any of these lots will remain as part of the Fernhill property. Irrespective of their future ownership, there is limited ability to develop the western lots due to their heritage listing, the environmental zoning and the potential visual impact that development may have on Fernhill. The lower and eastern lots however fall outside the visual setting of the core Fernhill areas and there is potential for new uses in these areas. Any future uses need to be appropriate to the property and be developed to avoid visual impacts on the Fernhill setting. This effectively reduces the ability of much of this land to be considered for future development. There is however potential to provide access onto the site from Mayfair Road and areas fronting Mayfair Road to the east may be capable of development in relation to the estate.

¹⁸⁶ Refer to 3.4.13 Views and Vistas

¹⁸⁷ Kass, Terry. *Glenmore, Mulgoa, 1809-1989. An Historical Investigation*. Prepared for Otto Cserhalmi and Partners Pty Ltd, Architects. 1990

3.4.11 Western land fronting Nepean Gorge Drive Road - Precinct 10

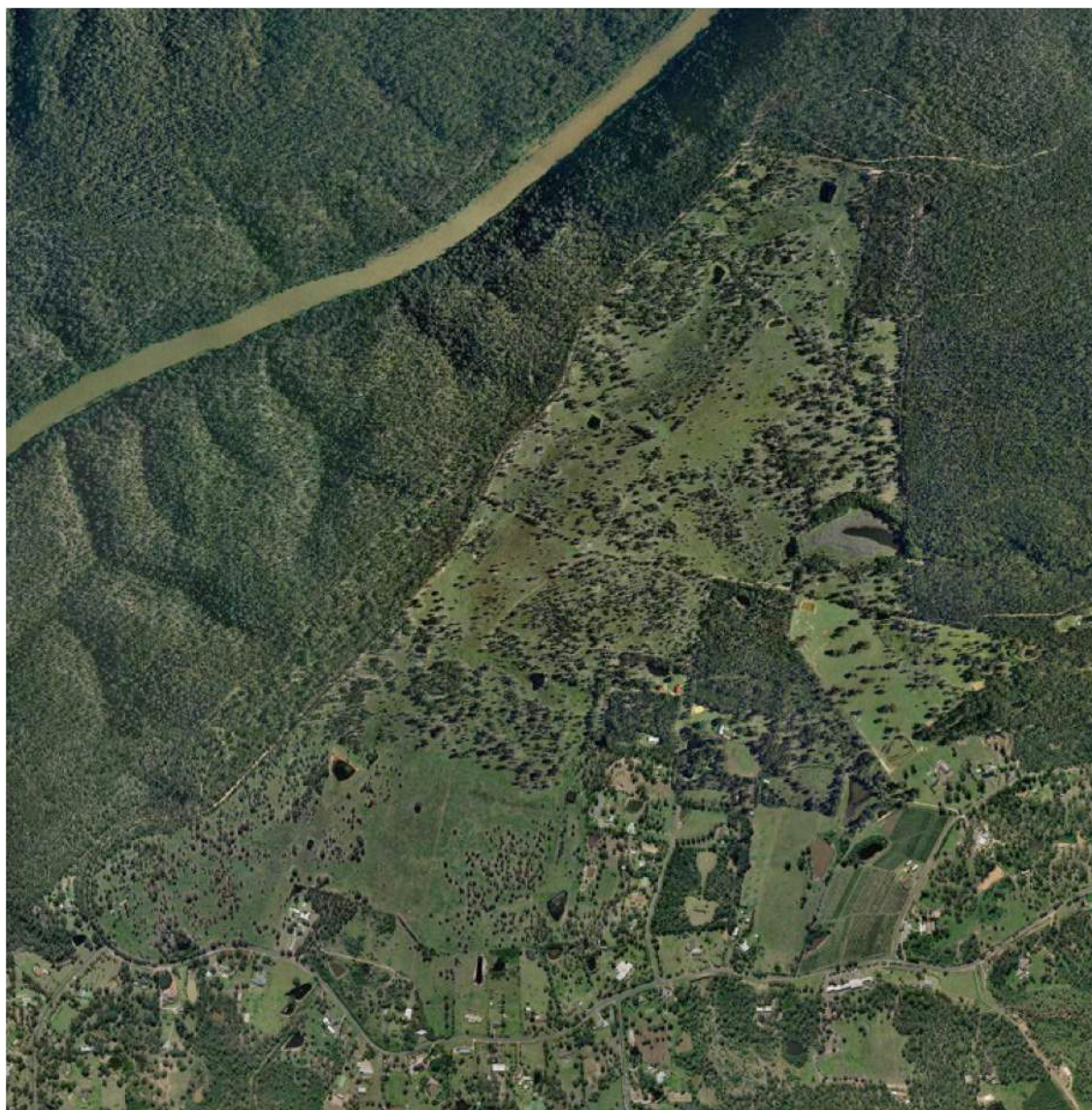


Figure 243: Aerial of Natural vegetation on far western portion of Fernhill Estate, the western lots fronting Nepean Gorge Road Source: Six Maps 2013

Precinct 10 comprises land to the west of the historic boundary of Fernhill. The area of the precinct is defined by Lot 1 in DP 549247 and Lot 31 in DP237163. This area forms a not inconsiderable part of Nathaniel Norton's former Fairlight estate. The area forms part of the crown grant of 870 acres to James Norton made in April 1821, and 800 acres made to Nathaniel Norton in April 1821. James' grant was named Northend, while Nathaniel's land was named Fairlight. Both grants together with their father's (John) grant of 800 acres, named Grovers, of April 1821, were consolidated under one large land holding owned by Nathaniel, known as Fairlight. The original homestead of Fairlight was erected c1821. The estate was acquired by William Helleyer in 1863. The current Fairlight house (situated on a

small holding adjoining the western precinct) was built at the time of William Jarrett's purchase in 1876.¹⁸⁸

This precinct is on two lots and has two zonings, the northern portion being affected by an environmental conservation overlay. The area has regularly changed in character both prior to and after its incorporation into the Fernhill estate. It has been cleared for much of its late twentieth century history being used for pastureland. The land was extensively cleared in the 1980's and accommodated cattle. More recently it has been subject to some regrowth that is considered in detail in other reports.

The earliest available aerial photograph of this area is the 1955 Lands Department Liverpool Series. This photograph shows that the northern two-thirds of the precinct was heavily wooded. The southern third of the area was characterised by cleared paddocks around Fairlight. The property of Fairlight at this time had not been subdivided, and the grounds of the house included an area now south of Fairlight Road. Fairlight Road at this time did not continue as a public road west of present day Nepean Gorge Road.

By the time of the 1961 aerial photograph, Nepean Gorge Road had been formed. By the 1970 photograph, Fairlight had been subdivided and Fairlight Road put through to the west of the house. The wooded land to the north and west of the house was being cleared at this time, but the paddocks to the north of the house remained. By 1986 the aerial photographs show that all of the wooded land shown in the 1955 photograph had been cleared, and the sense of paddocks around Fairlight had been lost. Within the cleared lands, a number of small agricultural dams had been formed. The southern end of Nepean Gorge Road is now characterised by semi-rural residential development.

Within the constraints of environmental and planning controls this portion of the estate is capable of more intense development as it is not of particular heritage value in relation to Fernhill, is not heritage listed and does not form part of the core Fernhill heritage precinct. With regard to the heritage values of Fernhill, this part of the estate is, in many respects, ideal for consideration for future uses as it could remove the need for development from much of the heritage listed original grant land.

Development of this area does however require consideration of the setting of Fairlight House, which adjoins the site at its southern edge. Fairlight house was once located on a substantial land holding that included the western Fernhill lands that has been progressively sold off, mostly in rural residential lots leaving the house on a now relatively small lot. It may be argued that all of the lands that formed parts of the early estates in the Mulgoa Valley have heritage value as evidence of those estates, however this is now a largely historical value as the character, use and landscape has changed and cannot be recovered. Interestingly, in the 2010 review of the heritage value of Mulgoa the only lands attached to former estates that were added to the heritage schedule were those to the east and north of Fernhill. The western precinct lands were not considered to have heritage value, even in relation to Fairlight.

While the Fairlight site is now quite self-contained and the house is located on a reasonable rural residential sized lot set on a slight rise that elevates the house above the surrounding area, the house is oriented across the Fernhill lands and has a view across the western precinct that is filtered through a stand of trees. If development is proposed in the vicinity of Fairlight on the Fernhill land it should ensure that buildings are not placed in close proximity the boundary directly in front of Fairlight house.

¹⁸⁸ Mulgoa Progress Association, Mulgoa! Mulgoa! Where is that: a general history of Mulgoa, 1988.

3.4.12 Analysis of Landscape and Site Changes since 1947

As set out in the history section of this CMP, the site is recorded on a series of aerial photographs dated 1947, 1961, 1970, 1979, 1994, 1998 and around 2012. While the time interval between the images is not even it falls roughly into a 10 - 15 year cycle. This can be overlaid with the changes in property ownership where the Darlings acquired the property in 1955 and the Andersons in 1980. The photographs and analysis relates to the pre-Darling and pre Mulgoa Road upgrade state of the site (1947), the Darling works through 1961, 1970 and 1979 just prior to their sale and then following the major works that the Andersons undertook during the 1980s.

The following plans compile the seven aerial photographs and overlay them to illustrate changes to the site. The illustrations are colour coded to each period to identify changes to the place. To allow easy reference each plan has the current site boundaries indicated that include the boundaries of the original estate and the added north and east precincts, however the internal lot arrangements are not shown.

The following illustrations are on fold out A3 pages.*

Figure 244: 1947 Overlay showing the features extant in 1947 on the 1947 landscape

Figure 245: 1947 Features overlaid on current aerial photograph.

Figure 246: 1961 Features overlaid on current aerial photograph.

Figure 247: 1970 Features overlaid on current aerial photograph.

Figure 248: 1979 Features overlaid on current aerial photograph.

Figure 249: 1994-1998 Features overlaid on current aerial photograph.

Figure 244 shows the site prior to any upgrade work. The house and stables are the only buildings discernible on the hill, the tennis court exists, the reflection pond remains and there is one small dam to the north. Mulgoa Road has not been realigned and the original north and south drive locations remain in place. The meandering character of Mulgoa Road is clearly discernible and the connection between the church and the Fernhill landscape, which at this time was contiguous and very open gives an understanding of how the house and church were linked both physically and visually across the site.

The church and rectory (still standing) and Cox's Cottage can be seen beyond the site.

Figure 245 shows the 1947 features overlaid on the current aerial photograph. This illustrates the landscape changes that have taken place, particularly the realignment of Mulgoa Road and the increase in vegetation cover on the site.

By 1961 (Figure 246) The Darlings have added farm buildings to the north-west of the house and four dams. Mulgoa Road has been diverted and the entry points to both driveways have been relocated to allow for the roadworks. The eastern land adjacent to the church has been cut by the roadworks and the road itself has required extensive cut and fill removing the undulating form of the road along with views from the high points into the property.

The dam in the eastern precinct has been added but that land does not form part of Fernhill

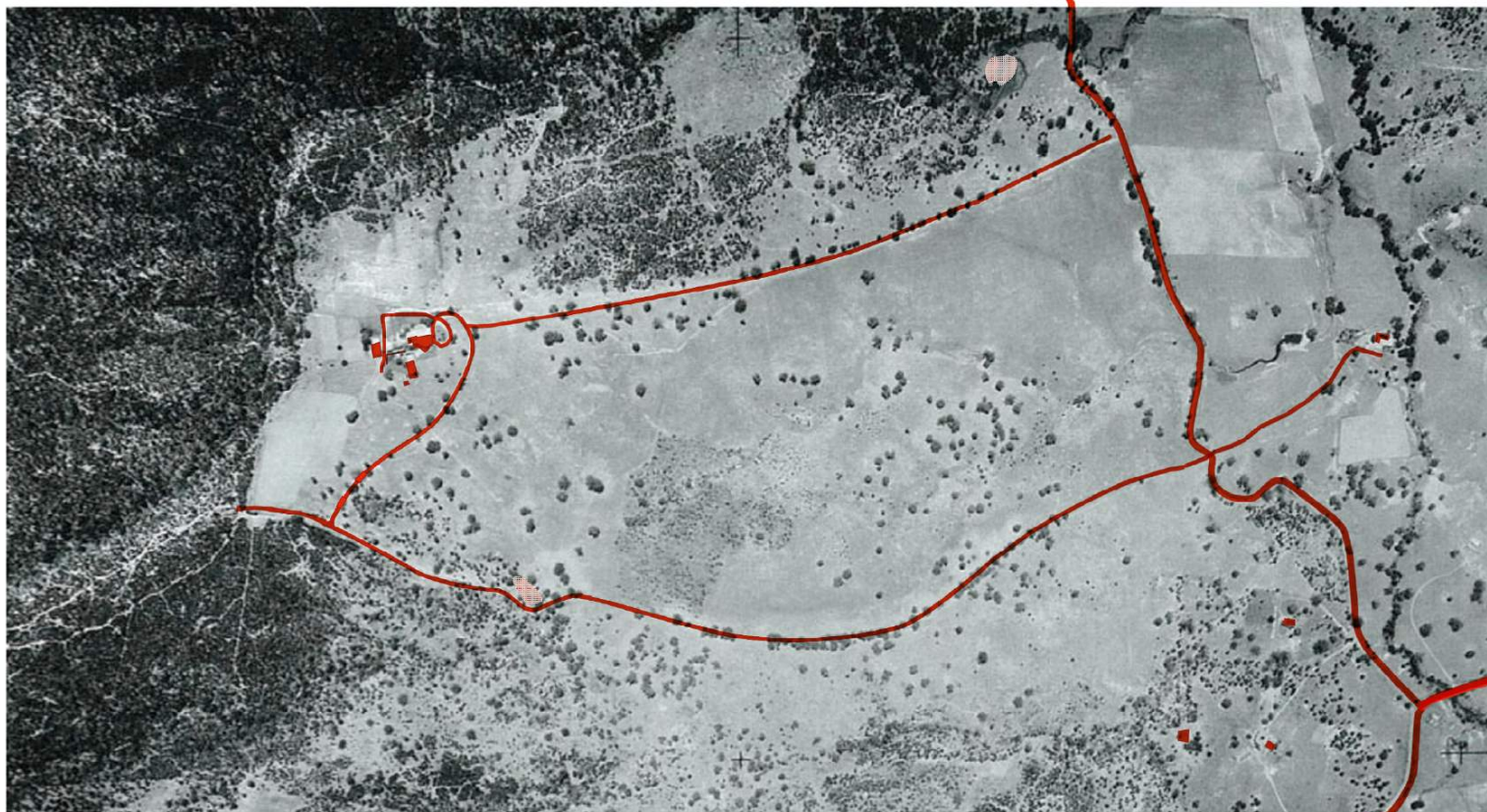
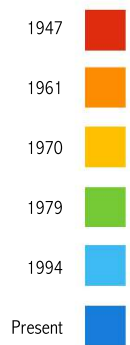


Figure 244: 1947 Overlay showing the features extant in 1947 on the 1947 landscape

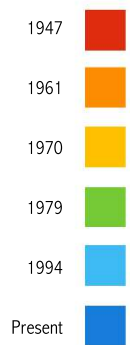


Figure 245: 1947 Features overlaid on current aerial photograph.

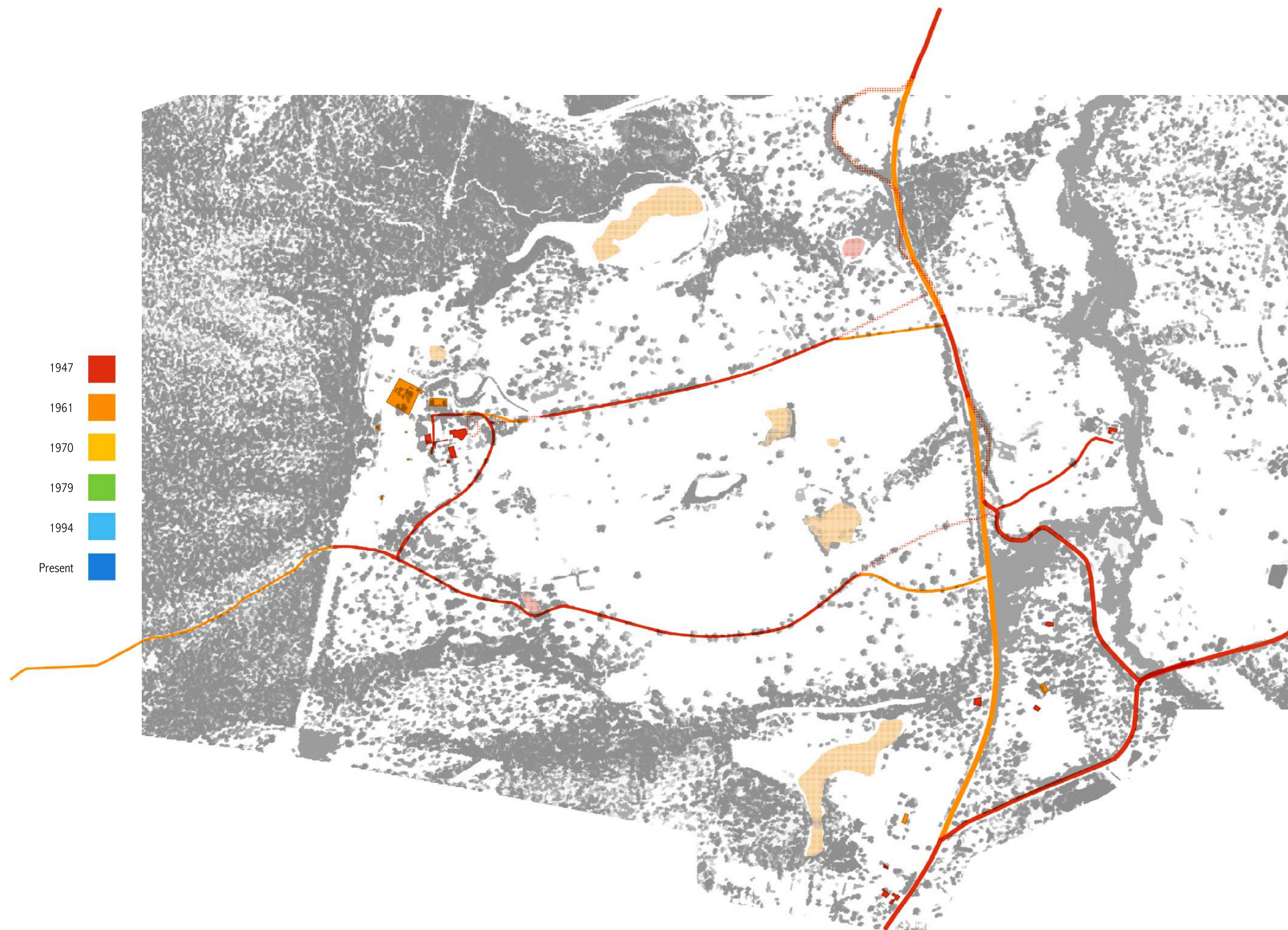


Figure 246: 1961 Features overlaid on current aerial photograph

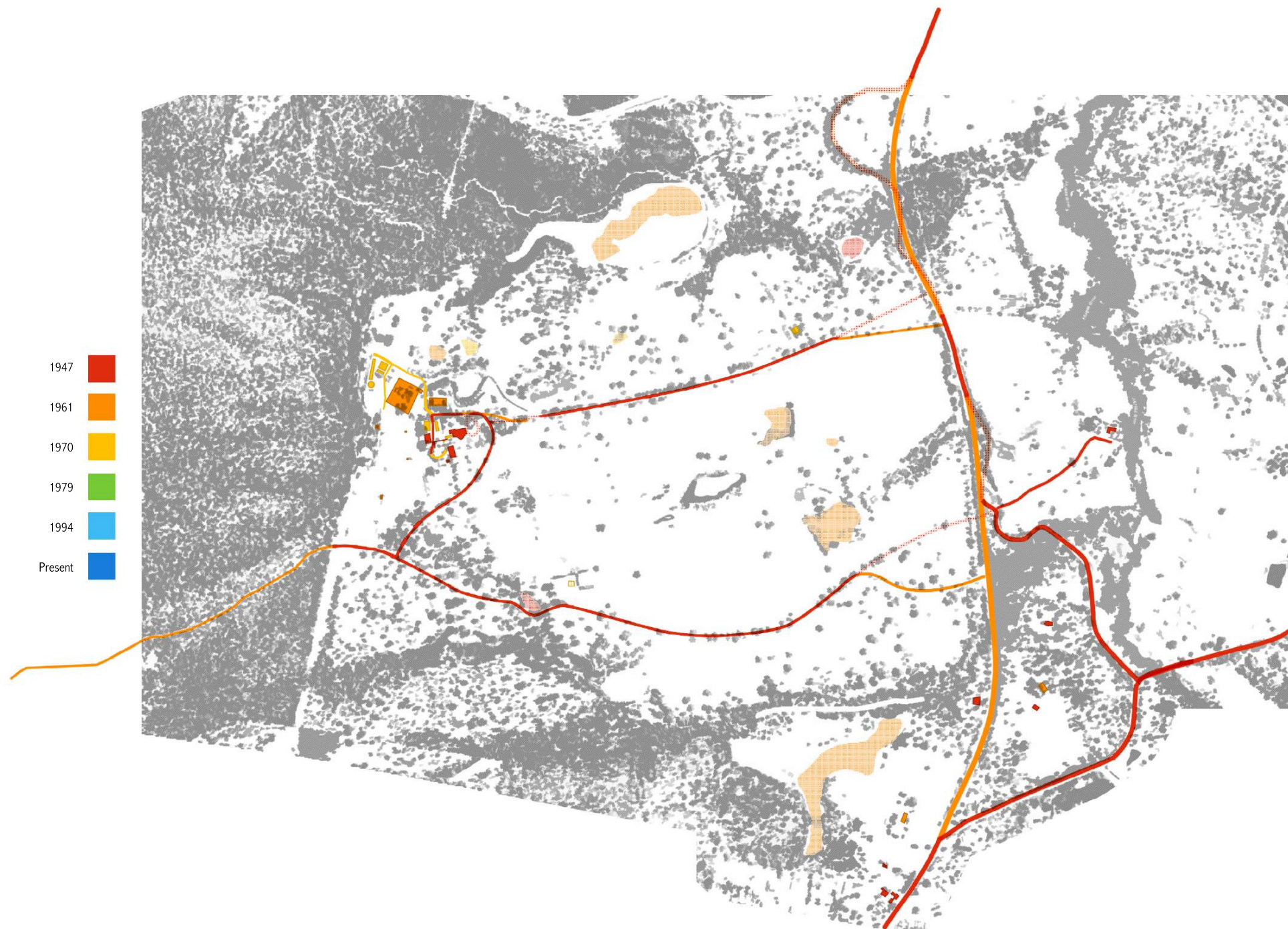


Figure 247: 1970 Features overlaid on current aerial photograph

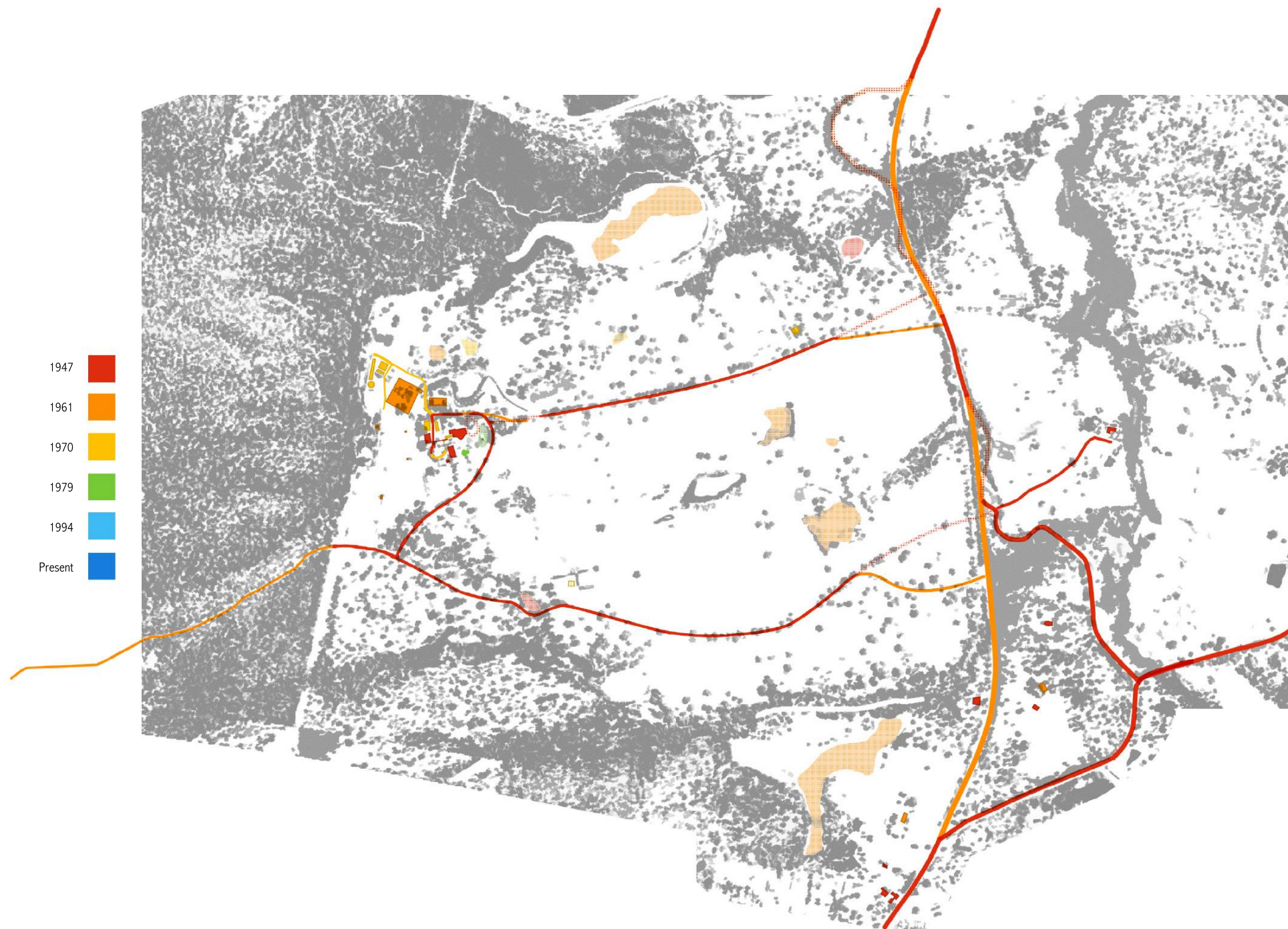


Figure 248: 1979 Features overlaid on current aerial photograph

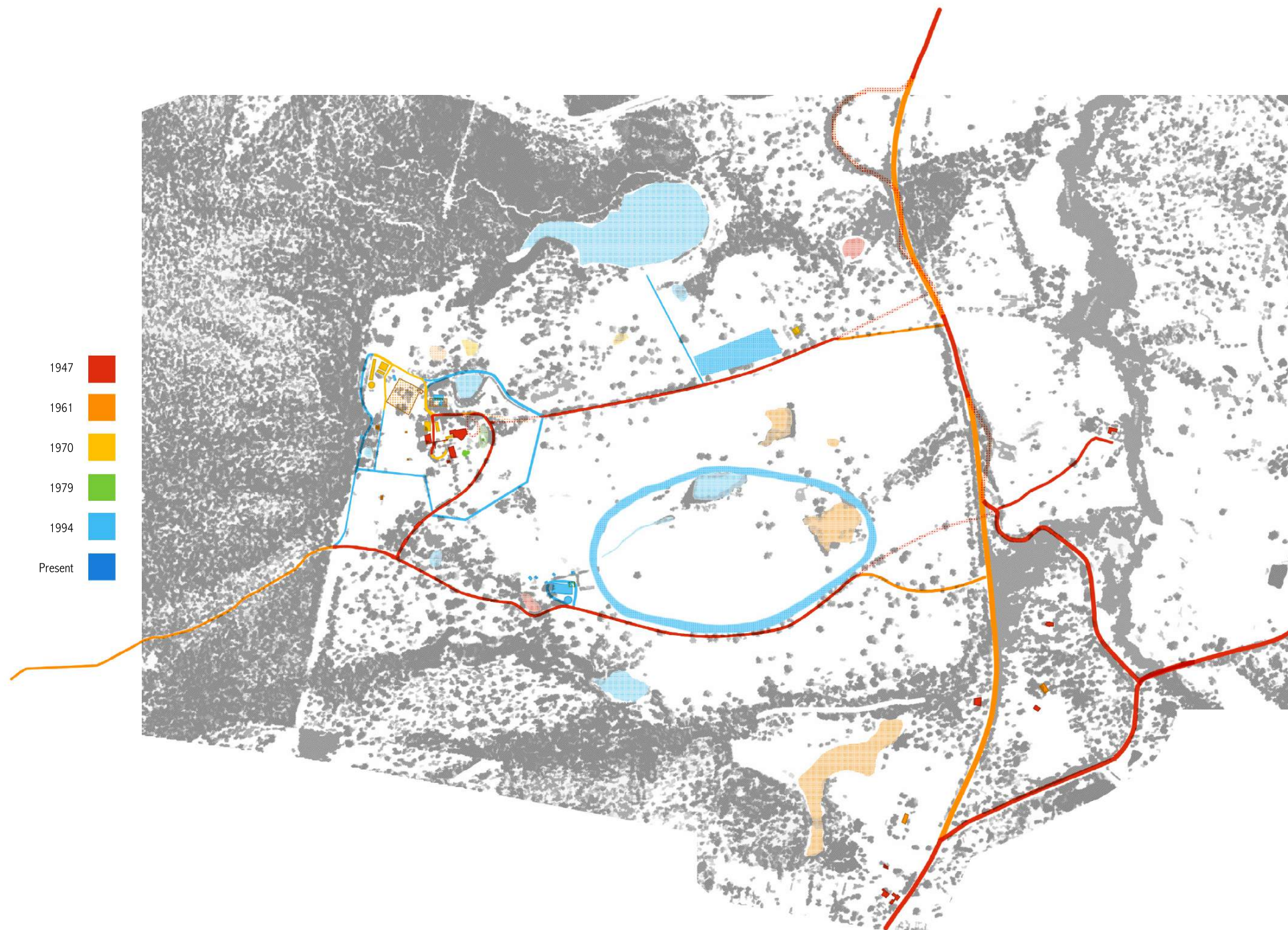


Figure 249: 1994-1998 Features overlaid on current aerial photography

at this time.

The 1970 aerial (Figure 247) shows little change to the overall site that is discernible from 1961 except that there are additional farm buildings to the north-west of the house and 2 small dams in the northern paddocks. Changes have taken place around the house however by this time.

By 1979, (Figure 248) shortly before Darling sells the property, the initial landscaping around the house is complete, the ornamental pond in front of the house is in place, the driveway has been extended to the rear of the house, the billiards room has been added and an orchard has been added

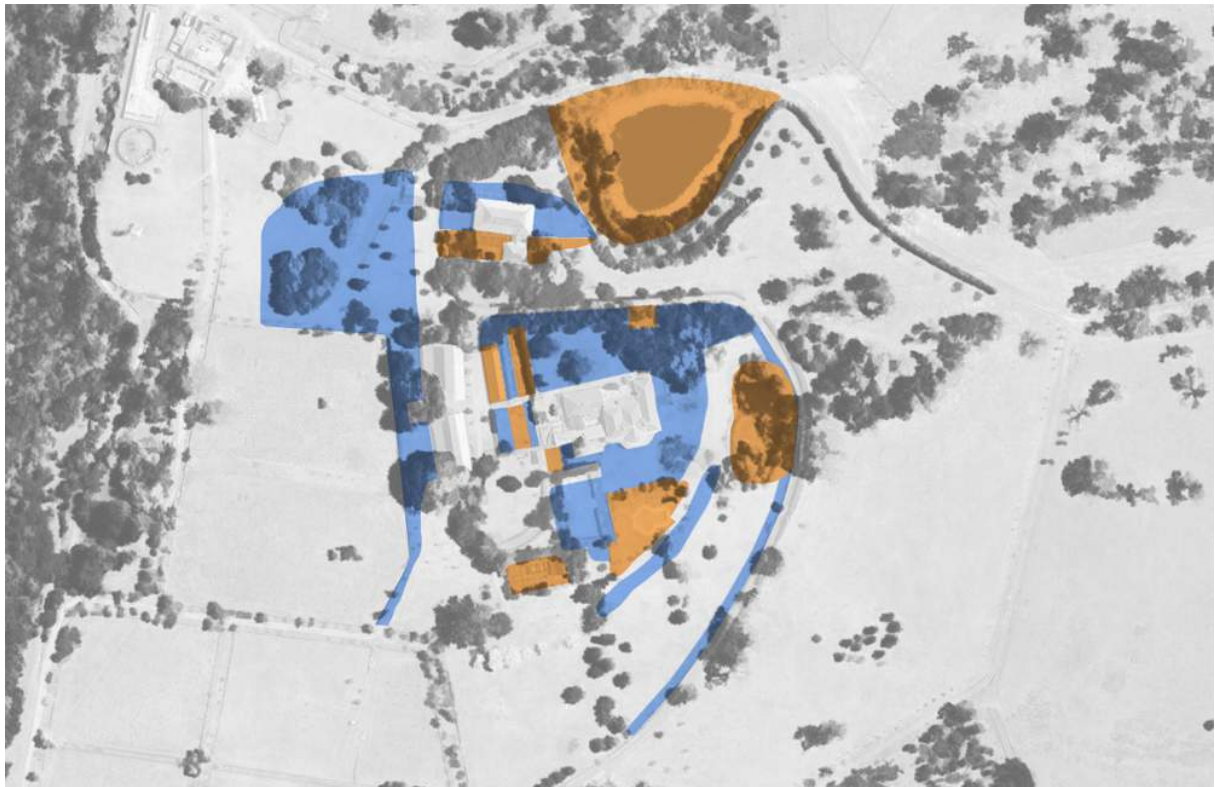


Figure 250: Plan of area around house showing areas that have been filled since 1960 (blue shading and areas that have been cut into the natural embankments (yellow). Paul Davies 2014

The mid-1990's (Figure 249) shows a major change in the site with the addition of the race track, stables complex, 4 new dams and one enlarged dam to the north, the orchard reworked and a new building at its eastern end, further landscaping around the house, a re-arrangement of the entry driveways to the north of the house to separate the main and service roads, new workshop and residential buildings and extensive site plantings.

Figure 250 provides an analysis of the land form changes immediately around the house showing areas that have been excavated and areas that have been filled. The major change to the house setting has been the creation of levelled grassed platforms around the house, to all sides, but varying in character to each side that has involved filling the natural slope and creating either retaining walls or embankments, or in some locations combinations of these to place the house on a flattened hilltop. The illustration indicates the extent of landform change to the house garden and how it has shifted from the gently sloping rural landscape to a formal and structured garden landscape.

3.4.13 Views and Vistas

Fernhill Estate once had significant views and vistas through a cleared, open and managed landscape between Fernhill House, St Thomas' Church and, to a lesser extent, Cox's Cottage. There were also significant views and vistas around Fernhill Estate from and to the house, its landscape and the Mulgoa Valley (Figure 56). Some of these broader views and vistas remain, but as discussed in relation to changes to the garden and pastoral areas, the designed early views and vistas are now largely lost. There are however views and vistas still available within the property, to and from the house, from the house to the Valley and some minor and remnant view lines from Mulgoa Road to the house garden. This latter view is only however available over adjacent lands that do not form part of the original Fernhill Estate. The illustrations in this section identify some of these views and former views with discussion about how the landscape has changed over time.

The views have been lost due to two principal changes:

- Changes to the estate in relation to the garden setting around the house and the introduction of new landscape elements, including changes to levels and the creation of platforms and features around the house, from the 1960s onwards,
- The extensive regrowth of mostly Cumberland Plain Woodland that is in itself protected and valued but which has obscured the relationships between the historic elements that once formed the view shed.

The features at Fernhill during its early history that conformed to the English landscape garden movement - in that they transformed the landscape to control views and vistas - included:

- The serpentine carriage drive approach to the house that wound around the hillside revealing the form of the house to the visitor as they approached terminating in the (now removed) carriage loop east of the house (southern driveway);
- Damming a creek to form a pool that reflected an image of the house to the visitor progressing up the carriage drive (southern driveway) noting that the view line and reflection is no longer extant;
- The ornamental sandstone bridges that were also viewed from the entry drive in various locations but which are also now obscured by vegetation;
- The clustering of exotic plants such as Camphor laurels and various pines (Stone, Bunya and Hoop) closer to the house;
- The small pleasure garden of deer and other game animals and birds; and
- The former views to St Thomas' Church and Rectory (lost to fire in the 1960s) from the Fernhill house.

The early setting of Fernhill, which can probably best be seen in the earliest of the aerial photographs, taken before the site was altered or upgraded, is of a very simple expansive landscape where the house, the entry drive, the reflection pond, the church and the selected parkland trees allowed an expansive and very open landscape.

The views and vistas to and from Fernhill have been substantially altered by the following specific factors:

- Changes to the garden around Fernhill homestead by Paul Sorensen (1970s) including pergola, rose garden, tennis court, new parking area and Chinese elm grove and landscaped terraces;

-
- Changes to the landscape of Fernhill Estate by the Andersons (1980s) including the stone wall that extends the length of the driveway from Mulgoa Road to the house, new plantings across the site and specifically pines around lake to the north of the house and around the racetrack (largely removed by the 2000 fires);
 - New buildings at Fernhill by the Andersons (1980s) including games room (north of 1830s stables) and the stables complex (west of the racetrack);
 - The realignment of Mulgoa Road (1949) and subsequent native revegetation on either side of the road;
 - The construction of various dams around the property with perimeter tree growth;
 - Native revegetation in the area between St Thomas' Church, Fernhill and Cox's Cottage;
 - Native revegetation along Littlefield's Creek, along the southern property boundary; and
 - Native revegetation along Mayfair Road following demolition of houses (late 1980s);
 - General increase in the extent of tree and other vegetation growth across the property from natural regrowth and introduced plantings.

It is important to retain and, in some instances, to recover some of the significant vistas within the property. At present the broad view from the house, despite changes, is impressive and should not be further eroded by plantings or new intrusive elements. However it is important to understand it as a broad view into an immediate (the garden), intermediate (the estate lands), and a distant (the valley) setting. The minor addition (or deletion) of non-significant elements within that broad view will have little if any affect on the overall value and quality of the view from the house to the landscape beyond.

There are also numerous and varying views within the estate that simply exist by the nature of the open landscape. Many of these are fine and impressive views and some provide insights into how the property would have been prior to the 1960 period when changes to the landscape started to take place.

As these views are extensive and expansive they individually have little heritage value. That is, not every view within the property is of significance and needs to be maintained.

The views that are significant within the property relate in particular to the arrival and travel along the main driveway, around the reflection pond approaching and across the stone bridges and the approach to the house. Where possible a more open view should be considered to place the historic elements into some of the context in which they were designed. It is however appreciated that the broader changes and environmental considerations will not allow the early form of landscape to be recovered to achieve specific views.

In summary the views from the entry drive should largely be retained either in their present form or by opening up the upper sections of the driveway to enhanced views and changes to the landscape in this area should be controlled to avoid visual impact on the experience of approaching the house along the main driveway.

Views also need to be considered to the house, where they may be available from the public realm. There are two public roads that provide views into the core estate (that is not considering the western lands). There are some overviews available from the edge of Mayfair Road as it climbs towards its western end and there are some views from Mulgoa Road onto the property.

Views related to the small eastern section of land adjacent to the church are not considered.

There are limited and now largely incidental views available from Mulgoa Road onto the site and broad overviews from the upper area of Mayfair Road.

The Mayfair Road views are not significant views. They are expansive and quite interesting, but they do not relate to any planned or historic aspect of the place. In fact Mayfair Road is quite a recent road construction that only provided views in the later part of the twentieth century. Now that the land fronting Mayfair Road along its southern edge is heritage listed, it can be presumed that council would consider the impact of any development on views from Fernhill and to a lesser extent views across the property. It is also important to understand that Fernhill House, when it could have been seen from this location, presented its rear or service area to this location. This was not a view of the house that was ever intended to be seen.

The views from Mulgoa Road fall into two groups, those from the frontage of the core estate and those available over the added lands and in particular the south-eastern lots.

The views from the frontage along Mulgoa Road for the original grant area are very limited. Historically these views would have been greater, but they would also have always been quite limited and filtered.

There are two entry drives to the property from Mulgoa Road and these are the only locations where it is possible to stop, if driving, to view into the property. It is not possible to walk along Mulgoa Road between the entry points due to the road formation, the lack of a verge and the dense undergrowth along the road edge. There is also considerable realignment of Mulgoa Road, not just in plan but also in terms of cut and fill that has removed most of the view onto the property from passing traffic. In its earlier form, as the road followed the topography there would have been greater views into the property available, with the cutting of the road through the topography the high points have been removed along with the potential for viewing.

If driving past the property there are glimpses into paddocks only. If the viewer stops at an entry point and looks past the fence there is a slightly fuller view into the first paddocks but the view is terminated by mature trees and the rising landform. There are no possible views to the house or house garden area from these locations.

These glimpses onto the property are similar to other frontages along Mulgoa Road where there are large estates and the viewer is able to see the start of a rural setting. These glimpses are not particularly historically significant but are part of the experience of travelling through the Mulgoa Valley. It is also noted that even the church, which is relatively close to the road alignment, is difficult to see from the road and there are also no viewing positions where a motorist can now stop.

The second area of views is across the currently open paddocks (apart from a single house and sheds) immediately north of the Mulgoa township. There are some views across the landscape that provide a distant view of the grassed slopes leading up to the house garden, a dense area of vegetation that forms the house garden and a glimpse of a roof beyond.

This view is in two specific locations, either side of the existing house but is more available to the south of the house. These are not historic views or planned views. They are incidental views that provide a glimpse of the property. The photographs illustrate these and the earlier views discussed and demonstrate that the view is of a distant rural setting where it is not easy to discern the house or any specific site features. There is also nothing about the viewing location that sets it apart as a location that would attract viewers. The adjacent park is poorly maintained, has an unformed frontage to Mulgoa Road and is not easy to traverse for pedestrians. Traffic is intense and the view into the distance is pleasant but marred by

passing vehicles and the immediate setting. This is not a significant view of the property.

The following view maps set out the views that are currently available to and from Fernhill House. The first diagram shows the view from the frontage of the house. With the landform changes and the vegetation this view or outlook is now very limited and a distant view.

The second view is taken from the edge of the garden along the entry drive, which is the first location moving away from the house where the view across the property opens up in a similar way to the view that would have existed prior to 1955. These views are more expansive but are also contained by tree plantings. There remains a small view into the eastern area of the estate with a glimpse of Mulgoa Road.

The final diagram shows the main viewsheds from Mulgoa Road back across the property. The view over the eastern precinct adjacent to the farmhouse is the only location in the public domain where some of the Fernhill landscape can be seen. The views from Mulgoa Road into the entry drives are contained by the landform and plantings and do not extend far into the property.

There are other incidental views within the estate that feature in various photographs in this CMP. They are not mapped as they extend in many directions from a range of locations.

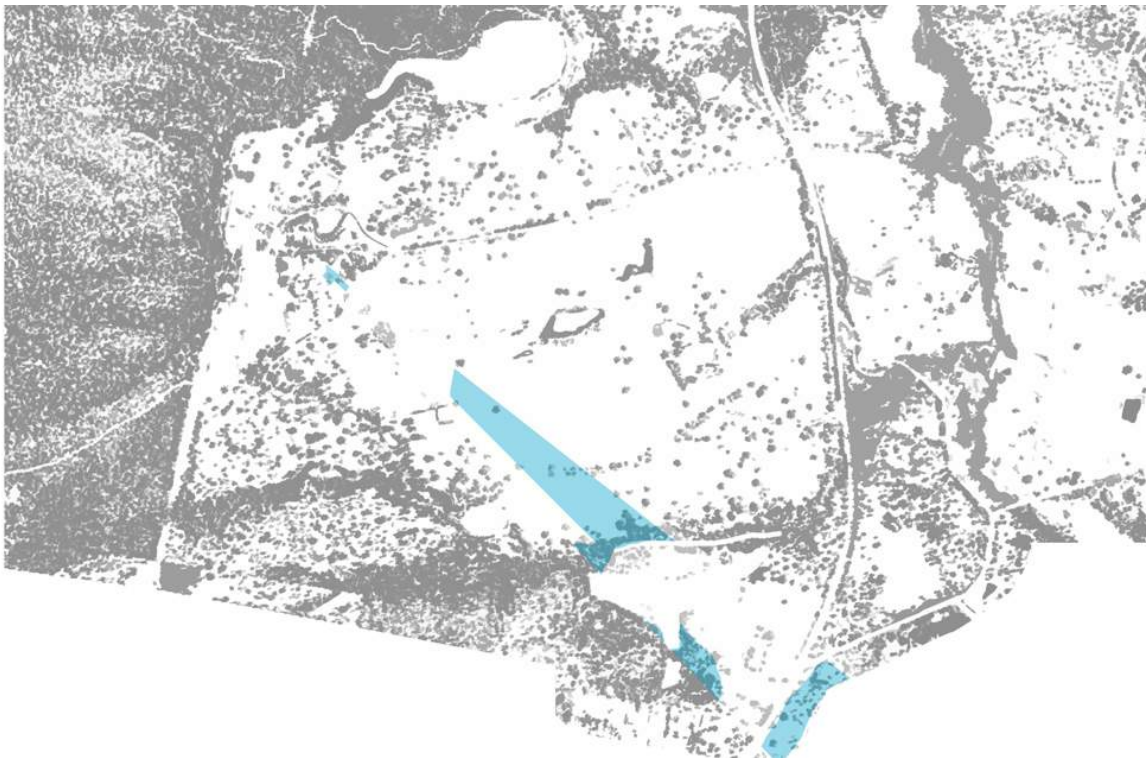


Figure 251: View into the landscape from the front of Fernhill House. This view is taken from the lawn directly in front of the house. Paul Davies 2014.

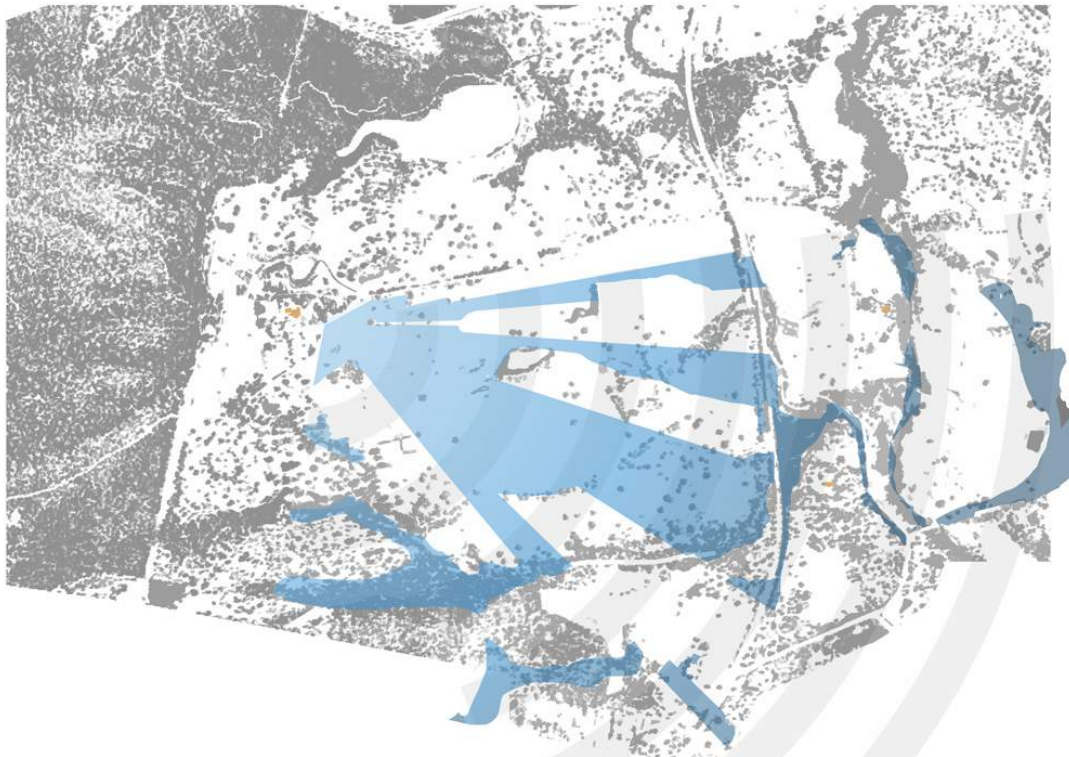


Figure 252: Views from the driveway of Fernhill House looking east. The view location is the edge of the drive and garden. Paul Davies 2014.

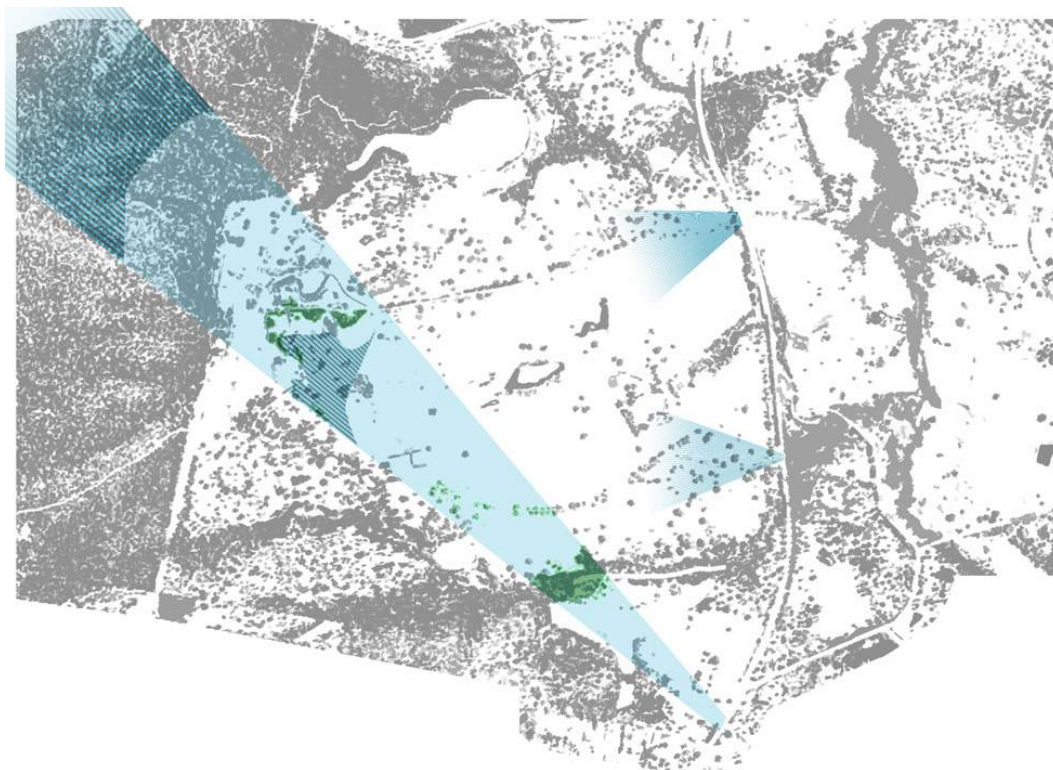


Figure 253: Views to Fernhill House from Mulgoa Road. The view is from the southern edge of the road verge. The light blue is the cone of vision that is available however only the hatched darker areas are actually visible and the green highlights are the vegetation in the middle ground and around Fernhill House that are visible from this viewing position. Light blue is the identified viewshed, the hatched blue area is the actual landform that can be seen from the viewing position and the green areas are the upper sections of trees that can be seen in the middle and distant ground that stand out above the general landscape. Paul Davies 2014.

Views from the house and garden looking out into the landscape



Figure 254: The view along the entry path above the carpark to the front of the house. The Sorensen landscape treatment has provided an enclosed and contained entry with the house only revealed once the visitor reaches the lawn directly in front of the house. Paul Davies 2014.



Figure 255: The entry path arriving from the rear of the property. Sorensen created a series of platforms with gardens and the entry path stepping around the gardens to the central rear courtyard. Earlier this area was not landscaped. Paul Davies 2014.



Figure 256: The entry point at the end of the driveway adjacent to the house service wing where limited parking is available. This view provides vista to the main frontage of the verandah. The level changes and landscaping is a combination of Sorensen and later Anderson works. Paul Davies 2014.



Figure 257: The main frontage of the house with the entry path entering from the right of the photo and a levelled lawn in the foreground. Originally the house had a porte-cochere in this location, sloping ground and a circular driveway. Paul Davies 2014.



Figure 258: The current view or outlook taken from the front of the house on the lawn near the edge of the grassed embankment. This is the first point at which an overview is available from the main frontage. The level changes and intense planting has created an enclosed viewscape with glimpses to distant hills. The intermediate landscape is not visible from the house or main garden areas immediately adjacent to the house, however the outlook is broad, despite the tree cover. Paul Davies 2014.



Figure 259: An interesting view back to the house from the middle of the lower lawn area. The levelling of the lawn around the house to create platforms has removed most of the view of the house from the lower garden and from the entry driveway. Paul Davies 2014.



Figure 260: An internal view looking across the front of the house to the ornamental lake and the dense foliage cover beyond. The sense of an open landscape has been lost in these views around the property. Paul Davies 2014.



Figure 261: A framed view from the main verandah of the house. The view is dominated by the foreground lawn, bloustrade and trees in the immediate view. Filtered views are available to distant hills. The main part of the estate cannot be viewed from the house. Paul Davies 2014.



Figure 262: The only clear view of the house available from the entry driveway on approach to the house. The colonial landform can be seen immediately behind the fence in the sloped lawn that is then interrupted by the grassed embankment and the balustrading around the pool area. As the visitor moves further along the driveway views of the house are removed by the level changes and the stone fence. Paul Davies 2014.



Figure 263: A view from the lower garden/lawn area across the stone fence and entry drive to the stables complex. The reflecting pond is on the far right of this photo behind a stand of trees. Views in this direction are largely terminated by the tree growth along Littlefields Creek. A glimpse of the eastern precinct grasslands around the lake can be seen in the upper left of the photo. As a colonial property this was a more open vista with views possible to the church beyond (to the left of this photo). Paul Davies 2014.

Figure 264: series of linked photos providing a panorama across the main landscape area of Fernhill Estate. The photos are taken from the entry drive roughly in the middle to the vista where a seat is located (the location of figure 252). These views are not available from within the garden area except in limited viewlines and generally they overlook the grassed slopes.



This section of the view looks east between the race track and the service driveway. The service drive cannot be seen as it is screened by tree plantings along its alignment. The generally open character of the central section of the estate can be seen broken up by individual and small groups of trees. The more distant view to Mulgoa Road is screened by tree plantings along the boundary and properties beyond.



The central section of the view covers the race track area where a more open vista is available with less tree groups in the foreground. Dense planting around the dams within the race track screens longer views and the alignment of the main drive with its trees and Littlefield Creek beyond provides a solid tree cover for intermediate views. The narrow area of grassland to the upper left of the photo is the lower paddocks with several large trees marking the original driveway alignment. The small area of grass at the far upper right of the photo is the eastern precinct with Mulgoa Road beyond. The alignment of the race track can be clearly seen but generally blends into the slope of the land.



The southern section of this viewscape is marked by recent ornamental plantings and an area of recovered Cumberland Plain Woodland below the two bridges. Apart from the immediate grassed areas there are no views or outlooks available through this area. The reflecting pond is located slightly to the left of centre of this view.

Other views and vistas



Figure 265: View onto the Fernhill lands from the main entry gate (taken adjacent to the gate), this is an important view that indicates the estate is beyond and that it is a place of some scale and importance, however, the view is restricted to a depth of about 100m where the existing topography and tree cover terminate the vista. The stone fence to the left is set far enough back from the drive that it has only a minor view impact. Paul Davies 2013.



Figure 266: The view from the entry gate along the frontage of Mulgoa Road. This shows the two lines of planting and the undulating form of the landscape. The right hand undergrowth fronts the road and the left hand line of trees forms a barrier to viewing onto the property from the boundary. Paul Davies 2013.



Figure 267: A view into the property taken approximately 100m along the entry drive. From here glimpses of the estate beyond appear, but the view remains heavily screened by mature tree plantings and the stone fence. Paul Davies 2013.



Figure 268: The view from the first section of original driveway looking to the house and the house garden on the ridge line. The open landscape form is clearly evident as is the house location through the dense vegetation. Paul Davies 2013.



Figure 269: View across the eastern precinct at the boundary with Mulgoa Public School. From this part of Mulgoa Road there is no overview available to Fernhill lands due to tree cover in the fore and mid distance. Paul Davies 2013.



Figure 270: The view from the edge of the park adjacent to the entry to Mulgoa on Mulgoa Road. The immediate grassed area is precinct 9, the trees in the middle ground are located along Littlefields Creek, which is the edge of the original estate and the grassed and vegetated hillside beyond is the slopes leading up to Fernhill. The treed hill in the background is the land at top of Mayfield Road and is outside the site. Paul Davies 2013.



Figure 271: The view from Mulgoa Road to the north of the farmhouse adjacent to Mulgoa township. A very distant view to the far hillside is available from only this one location as the viewer moves along the edge of the road. With binoculars the house is just visible through the trees from this position, it appears that this is the only public location where any view is possible of the house, but the distance makes the house non-discernible to the viewer. Paul Davies 2013.



Figure 272: Looking north along Mulgoa Road from the same position as photo 271 was taken showing the nature of the road and the lack of opportunity for pedestrians to stop and traverse the area. Paul Davies 2013.



Figure 273: The view along the main drive flanked by apple gums. Even though quite an intact view it is also quite an enclosed view with glimpses out into the broader landscape. Paul Davies 2013.



Figure 274: View near entry of flanking stone wall that follows the main drive for most of its length. These walls were added by the Andersons. Paul Davies 2013.



Figure 275: The view along the service driveway on the north of the property that is available to visitors as they move along the driveway. Views are available into the adjacent paddocks, particularly to the south, however the long-view is screened by the flanking tree plantings. It is noted that wider views are available from the paddocks, however these are not locations that most visitors can access. Paul Davies 2013.



Figure 276: The 2013 view from the upper section of Mayfair Road, taken from the property boundary looking towards Fernhill. The house would be on the far left of the photo, however this is one of the few locations where a view through the trees on the northern lots is available. Paul Davies 2013.



Figure 277: View from the driveway directly below Fernhill looking east across the core landscape area. Note the trees around the dams in the middle ground. The view is of the immediate grassed slopes, the regrowth tree cover in the slightly further distance and then into the distance of the Mulgoa Valley as the valley floor rises to the east. Paul Davies 2013.



Figure 278: A detail of one of the central dam areas surrounded by casuarinas and willows. As noted in the discussion these plantings are quite recent and thinning or selected removal can open up longer vistas through the property. Paul Davies 2013.

3.5 Surrounding Area

Fernhill Estate is located immediately north-west of Mulgoa Township. There are various properties in the area surrounding Fernhill Estate that are heritage listed, many of which relate to the Cox family or other significant families in the district. Figures 282-287 illustrate several significant heritage properties surrounding Fernhill that are listed on the State Heritage Register (SHR) and Penrith LEP 2010. Apart from the lands recently listed for their contribution to Fernhill the listed properties include:

- St Thomas Anglican Church site
- Cox's Cottage site
- A section of the former Mulgoa Road now called Church Lane
- Mulgoa Public School
- Fairlight
- Table Rock Lookout Reserve

3.5.1 Mulgoa Township

The Township of Mulgoa consists of mainly residential allotments with single-storey dwellings, a School, churches and shops on Mulgoa Road, and further away from the town are larger rural and rural residential allotments. Most of the town dates from the later twentieth century period with a few earlier buildings spread across the township. This can be seen on the 1947 aerial photograph where the village area has very few buildings in comparison to its current appearance. Unlike many historic villages, Mulgoa does not have an historic core, or a real focus point as a village, rather it is spread with the heritage buildings extending over several kilometres. Consequently the township does not have a heritage character but does contain several heritage buildings.

The township boundary is currently the boundary between the public school and the Fernhill lands. Directly opposite this is a park containing a forlorn war memorial with rural residential development to the north and east.

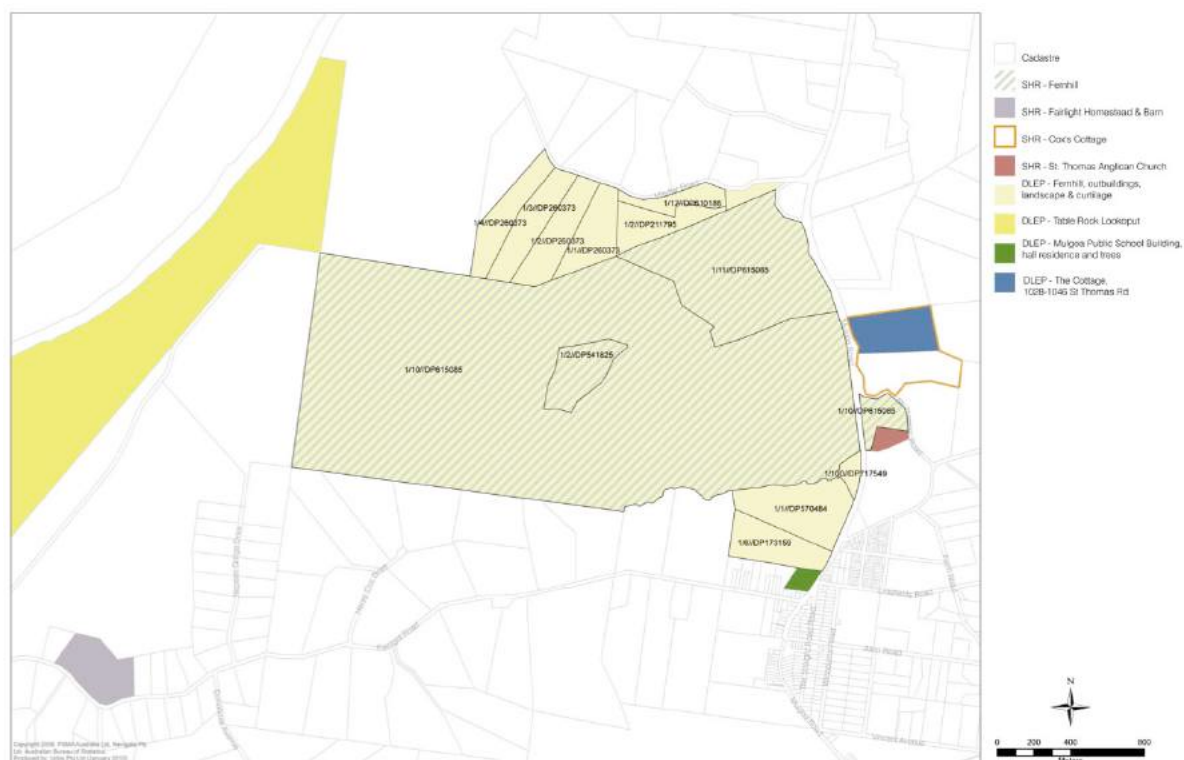


Figure 279: Heritage listed properties surrounding Fernhill Penrith LEP 2010

Mulgoa Township



Figure 280: Mulgoa Public School, Mulgoa Road, looking north-west



Figure 281: Mulgoa Shopping Village, Mulgoa Road

3.5.2 St Thomas' Church

St Thomas' Church was built c1836-38 in the Gothic Revival architectural style to the design of architect James Chadley. The Cox family endowed the Church of England with funds and land in Mulgoa to provide for the construction of their local church.¹⁸⁹ Its cemetery contains some important early monuments dating from 1839 and the graves of members the Cox family. It is located on a hillside north of Mulgoa Township, facing St Thomas' Road (old Mulgoa Road alignment). The church land was given from the Fernhill grant and the rectory lands were given from the adjoining Cox lands at Winbourne. The church and surrounding land is now owned by the Anglican Schools Corporation who are commencing the construction of a small local school on the southern portion of the property, outside the heritage setting of the church and graveyard.

Parts of the site are now subject to extensive regrowth, particularly along the alignment of Mulgoa Road and to the east of the church. This growth has removed views from the church to the landscape beyond the site, to most of Mulgoa Road and onto the Fernhill lands.

St Thomas' Church



Figure 282: St Thomas Anglican Church. Paul Davies 2014.



Figure 283: Cox family gravestones and monuments in St Thomas burial ground. Paul Davies 2014.

3.5.3 Cox's Cottage

William Cox built Cox's Cottage for his sons in 1811, George, Henry and Edward. They all lived at the cottage prior to their marriages and development of their own estates, George (Winbourne), Henry (Glenmore) and Edward (Fernhill). Cox's Cottage is one of Australia's oldest extant timber buildings, which retains its rural setting.¹⁹⁰ The lands around the house front Mulgoa Road and Church Lane (once Mulgoa Road) and the rural landscape is in many respects contiguous with the eastern end of the Fernhill lands. However lineal perimeter or boundary planting along the western side of Mulgoa Road on the Fernhill land has largely visually separated the properties from direct visual connection.

It is noted that the boundary planting along Mulgoa Road is in two distinct and separate rows with a grassed area between. The outer planting includes the road verge and extends onto the edge of the property and the inner planting is maintained as trees planted within the grassed paddock area.

¹⁸⁹ Heritage Branch 2010c

¹⁹⁰ Heritage Branch 2010b

Cox's Cottage



Figure 284: Cox's Cottage Source: Heritage Branch 2010.



Figure 285: View to north façade and veranda of Cox's Cottage from direction of Lot 2; Source: Photo courtesy of Heritage Branch.

3.5.4 Fairlight

The current Fairlight homestead and barn was built in the late 1860s by property owner William Jarrett. The single-storey house was constructed in the mid-Victorian architectural style and replaced the original house (c. 1821), which stood beside the Port Jackson figs. The property includes remnants of the original garden, trees planted by Jarrett and other plantings dating from later owners (see Figures below).¹⁹¹ The farm was sub-divided by the late 1960s removing most of its surrounding paddocks and setting and was further sub-divided around the 1980s to remove the western most section (that abuts the Fernhill lands). It remains on a substantial block of land with the house overlooking the rear of the western Fernhill lands but screened by dense tree planting on the Fairlight property.

Fairlight



Figure 286: Fairlight Homestead viewed from the Fernhill boundary



Figure 287: Fairlight Barn viewed from the public road.

The viewshed from the house was mapped by Clive Lucas on the drawings that are now in DCP2010, (Figures 294 and 295) however the view has changed as there are now mature tree plantings along the boundary within Fairlight that have removed direct views and replaced them with filtered views. Presumably the plantings were intended to screen

¹⁹¹ Heritage Branch 2010

potential development (that has been proposed on the western lands for many years). The broader view from Fairlight extends to the distant hills with the middle ground views largely obscured by revegetation that has taken place on the Fernhill lands.

The significance of Fairlight is now principally found within the property boundary that holds the house, barn and immediate landscape. While the house has some views to the distance (which are not likely to be altered due to the land formation and the rise of the hills to the north and west that form the distant outlook from the house). The house retains its historical links to or associations with the surrounding lands, of which the Fernhill lands form part, but the long-term break-up of the early land grant into rural and rural residential lots their heritage values from the surrounding properties.

4 Significance and Listings

This Section outlines the heritage significance of Fernhill and its various components, which provides guidance towards ongoing conservation and maintenance. The statutory and non-statutory heritage listings for Fernhill are noted in Section 4.4, along with statutory listings for heritage items in the vicinity.

4.1 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. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been taken from the State Heritage Register listing of Fernhill¹⁹² and amended in accordance with the 'Assessing Heritage Significance' (2001) guideline from the *NSW Heritage Manual* for subject site (Table 3).

Table 4: Heritage Significance

Criteria	Significance Assessment
A – Historical Significance <i>An item is important in the course or pattern of the local area's cultural or natural history.</i>	Fernhill Estate comprises an extensive area of modified and natural landscape, which provided a picturesque setting for a house completed c.1842 for Edward Cox. The Estate demonstrates a unique phase in Australia's history with the rise of the landed pastoral estates. The construction of Fernhill and the layout out of the Estate grounds coincides with the boom in the rural economy of the 1830s and the banking crisis of the 1840s. Fernhill has an important historical and visual relationship with St. Thomas' Church and Cox's Cottage. Changes to the land east of the house have altered the relationship of the house with its landscape, St Thomas Church and Cox's Cottage. This group of three sites demonstrate the ambitions and changes in wealth and status of an important early colonial family (the Cox's) from 1810 to the 1880s. Fernhill has historical significance at a State level.
Guidelines for Inclusion - shows evidence of a significant human activity ☒ - is associated with a significant activity or historical phase ☒ - maintains or shows the continuity of a historical process or activity ☒	Guidelines for Exclusion - has incidental or unsubstantiated connections with historically important activities or processes ☐ - provides evidence of activities or processes that are of dubious historical importance ☐ - has been so altered that it can no longer provide evidence of a particular association ☐
B – Associative Significance <i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i>	The Cox family have a particular association with Mulgoa Valley where they lived for three generations between the 1810s and 1900s. The Cox family pioneer in the Valley was William Cox (1764-1837). William made a substantial contribution to the administration, building, pastoral and agricultural development of the NSW colony. William built Cox's Cottage in the Valley for his sons in 1811.

¹⁹² Heritage Branch 2010

Criteria	Significance Assessment
	Each of William's sons established their own estates in the Valley from the 1820s: Winbourne (George), Glenmore (Henry) and Fernhill (Edward). The Cox family is associated with the development and improvement of stock (cattle, sheep and horses), not just in Mulgoa, but throughout NSW. Fernhill has associative significance at a State level.
Guidelines for Inclusion ▪ shows evidence of a significant human occupation ☐ ▪ is associated with a significant event, person, or group of persons ☒	Guidelines for Exclusion ▪ has incidental or unsubstantiated connections with historically important people or events ☐ ▪ provides evidence of people or events that are of dubious historical importance ☐ ▪ has been so altered that it can no longer provide evidence of a particular association ☐
C – Aesthetic Significance <i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i>	Fernhill Estate retains much of its internal rural landscape character, but has lost its historic visual relationships with the Cox family's earlier house Cox's Cottage and St Thomas Church. The house and garden have expansive vistas to the Mulgoa Valley. The property has significant views and vistas within the property, such as the winding carriage drive to the house with remnant glimpses of the house through the clumps of trees carefully created by thinning of native bushland and a reflection of the house in the lake along the southern drive. Fernhill is possibly the only surviving early colonial parklike estate in the Sydney region that was designed with the principles of an English Landscape Garden (a landscape 'Park' in the picturesque manner) but relying entirely on indigenous plant material and the process of elimination (thinning and tree removal) rather than planting. The 19th century house garden layout has been altered, however various early plantings remain, such as Bunyas and Stone Pines, and the Chinese Elm Grove, which contribute to the landscape setting of the place. Fernhill house was constructed of sandstone quarried on the site and was one of the last buildings to be completed in the noble colonial period. It was at this time that the Greek and Romantic Revival period commenced in which buildings were constructed using imported materials. Perhaps most significant is its siting. The house was sited like a Greek temple on a rise with significant views to the Valley and to St Thomas' Church and Cox's Cottage. The landscape and house have been altered in character and detail during the late 20th century, which has reduced its integrity and changed the relationship of the house with its landscape setting. Fernhill has aesthetic significance at a State level.

Criteria	Significance Assessment
Guidelines for Inclusion - shows or is associated with, creative or technical innovation or achievement ☒ - is the inspiration for a creative or technical innovation or achievement ☐ - is aesthetically distinctive ☐ - has landmark qualities ☒ - exemplifies a particular taste, style or technology ☒	Guidelines for Exclusion - is not a major work by an important designer or artist ☐ - has lost its design or technical integrity ☐ - its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded ☐ - has only a loose association with a creative or technical achievement ☐
D – Social Significance <i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i>	Fernhill is of social significance at a Local level as one of the early colonial settlements in the Mulgoa Valley, which contributes to the community's sense of identity.
Guidelines for Inclusion - is important for its associations with an identifiable group ☐ - is important to a community's sense of place ☒	Guidelines for Exclusion is only important to the community for amenity reasons ☐ is retained only in preference to a proposed alternative ☐
E – Research Potential <i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i>	Fernhill has low archaeological potential associated with the use of the house and 1839 stables. Changes in the house garden area since the 1960s has disturbed potential relics and a substantial amount of fill has been built up in these areas. The property may have Aboriginal archaeological potential on the western portion of the Estate. Further investigations of the roof space and room used of Fernhill house may provide further information in relation to whether it was designed as a two-storey structure. Fernhill has research potential at a Local level.
Guidelines for Inclusion - has the potential to yield new or further substantial scientific and/or archaeological information ☒ - is an important benchmark or reference site or type ☐ - provides evidence of past human cultures that is unavailable elsewhere ☐	Guidelines for Exclusion - the knowledge gained would be irrelevant to research on science, human history or culture ☐ - has little archaeological or research potential ☐ - only contains information that is readily available from other resources or archaeological sites ☐

Criteria	Significance Assessment
F – Rarity <i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i>	Fernhill Estate is significant for its cultural landscape, which is a rare Australian example of the English landscape school's practice of modifying the natural landscape to create a romanticised natural appearance embellished by a richness of cultural features. The landscape demonstrates a cultural phase in Australia when landscape design was influenced by the teaching of Thomas Shepherd who advocated the adaptation of the English design technique. Fernhill's setting is an extensive area of modified landscape providing a picturesque approach to the historic house. The landscape is significant for the high degree of creative design achievement, attributed to the original owner, Edward Cox. This landscape is a unique piece of evidence of a very rare attitude in the mid-19th century towards the natural environment. Some properties throughout Sydney from this period have lost their landscaped grounds due to subdivision pressures, such as Elizabeth Bay House and Lyndhurst (both on SHR), which increases the rarity of Fernhill's extensive cultural landscape. There are significant ecological communities on the Fernhill Estate, including Cumberland Plain Woodland and Shale Sandstone Transition Forest, which are both listed at the State and Federal level as an endangered ecological community. Fernhill has rarity at a State level.
Guidelines for Inclusion ▪ provides evidence of a defunct custom, way of life or process ☐ ▪ demonstrates a process, custom or other human activity that is in danger of being lost ☐ ▪ shows unusually accurate evidence of a significant human activity ☐ ▪ is the only example of its type ☐ ▪ demonstrates designs or techniques of exceptional interest ☒ ▪ shows rare evidence of a significant human activity important to a community ☐	Guidelines for Exclusion ▪ is not rare ☐ ▪ is numerous but under threat ☐

Criteria	Significance Assessment
G – Representative <i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):</i> ▪ cultural or natural places; or ▪ cultural or natural environments.	Fernhill is representative of a Greek Revival architectural style colonial house. The picturesque landscape design for Fernhill, which involved substantial clearing and replanting, was popular at the time. Changes to the land east of the house have altered the relationship of the house with its landscape, St Thomas Church and Cox's Cottage. Sorensen's garden layout for Fernhill built during the 1970s was representative of his design approach but has undergone significant further change in the last 40 years. While it retains some intact and well-designed features, including the rose garden, the decorative pergola, the use of retaining walls and terraced gardens it now has diminished significance. Fernhill's garden has been altered throughout the 1980s, which has changed the relationship of the house with its landscape. The immediate garden setting around the house has had a detrimental impact on the quality of the colonial landscape. The remaining open pastoral landscape is representative of a 'picturesque' landscape approach that remains readable across the Estate. Fernhill has representative significance at a State level.
Guidelines for Inclusion ▪ is a fine example of its type ☒ ▪ has the principal characteristics of an important class or group of items ☐ ▪ has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity ☒ ▪ is a significant variation to a class of items ☐ ▪ is part of a group which collectively illustrates a representative type ☒ ▪ is outstanding because of its setting, condition or size ☒ ▪ is outstanding because of its integrity or the esteem in which it is held ☐	Guidelines for Exclusion ▪ is a poor example of its type ☐ ▪ does not include or has lost the range of characteristics of a type ☐ ▪ does not represent well the characteristics that make up a significant variation of a type ☐

4.2 Statement of Significance

The following statement of significance revises the State Heritage Register listing:¹⁹³

Fernhill Estate has historical, associative, aesthetic and representative significance and rarity values at a State level. Fernhill has social significance and research potential at a Local level.

Fernhill comprises an extensive area of modified and natural landscape, that provided a picturesque setting for the house completed c.1842 for Edward Cox. The house was sited like a Greek temple on a rise with significant views to the Mulgoa Valley and specifically St Thomas' Church and Cox's Cottage. These views are however no longer present.

The house was constructed of sandstone quarried on the site.

¹⁹³ Heritage Branch 2010a; For Individual references, refer to the listing online; Research undertaken by Paul Davies Pty Ltd for the CMP (2005) has also been used to revise the statement of significance

Fernhill is significant for its cultural landscape, which is a rare Australian example of the English landscape school's practice of modifying the natural landscape to create a romanticised natural appearance embellished by a richness of cultural features. The landscape demonstrates a cultural phase in Australia when landscape design was influenced by the teaching of Thomas Shepherd who advocated the adaptation of the English design technique.

*Fernhill is possibly the only intact early Sydney colonial parklike estate that was designed with the principles of the English Landscape Garden (a landscape 'Park' in the picturesque manner) but relying entirely on indigenous plant material and the process of elimination (thinning and tree removal) rather than planting. The property has significant views and vistas within the property, such as the winding carriage drive to the house through retained apple gums (*Angophora floribunda* and *A. subvelutina*) with remnant glimpses of the house through the clumps of trees carefully created by thinning of native bushland and a reflection of the house in the pond along the southern drive.*

The landscape and house have been altered in character and detail during the late 20th century, which has reduced its integrity and changed the relationship of the house with its landscape. Remnant trees from the 19th century house garden include pines (Stone, Bunya and Hoop) and Camphor Laurels. Landscape architect Paul Sorensen's garden layout from the 1970s largely removed the immediate pastoral setting of the house, separating the house from the broader landscape. This layer of landscape however contains fine features including the rose garden, the decorative pergola and the use of retaining walls and terraced gardens.

Fernhill had an important historical and visual relationship with St. Thomas' Church and Cox's Cottage but these visual links are now obscured. Changes to the land east of the house have altered the relationship of the house with its landscape, St Thomas Church and Cox's Cottage. This group of Cox related sites demonstrate the ambitions and changes in wealth and status of an important early colonial family (the Cox's) from 1810 to 1880s and despite the loss of visual connection, they retain a close and important historical relationship.

The Cox family have a particular association with the Mulgoa Valley where they lived for three generations. The Cox family pioneer in the Valley was William Cox (1764-1837), who made a substantial contribution to the administration, building, pastoral and agricultural development of the NSW colony. William built Cox's Cottage in the Valley for his sons in 1811. Each of William's sons established their own estates in the Valley from the 1820s: Winbourne (George), Glenmore (Henry) and Fernhill (Edward). The Cox family is associated with the development and improvement of stock (cattle, sheep and horses), not just in Mulgoa, but also throughout NSW.

Fernhill is of social significance as one of the early colonial settlements in the Mulgoa Valley, which contributes to the community's sense of identity.

Fernhill has exceptional archaeological potential associated with the use of the house and 1839 stables.

The property may also have Aboriginal archaeological potential on the western portion of the Estate.

Fernhill Estate also has areas of environmental significance, including Cumberland Plain Woodland and Shale Sandstone Transition Forest, which are both listed at the State and Federal level as endangered ecological communities.

4.3 Gradings of Significance

Different components of a place may contribute in different ways to its heritage value. There are five gradings of significance that were developed by the Heritage Council to which there is the addition of a category of the 'Neutral' and further justification for Fernhill's components (Table 4).

Table 5: Gradings of heritage significance definitions

Grading	Grading No.	Justification	Status
Exceptional	1	Rare or outstanding elements that directly contribute to the place's overall heritage significance; they retain a high degree of integrity and intactness in fabric and use.	Fulfil criteria for local or state heritage listing
High	2	Element demonstrates a key aspect of the place's overall heritage significance; they have a high degree of original fabric or they retain their original use; they are areas that demonstrate high integrity; retention should be considered in-situ.	Fulfil criteria for local or state heritage listing
Moderate	3	Element contributes to the place's overall heritage significance; they may have been altered or modified but still have the ability to demonstrate a function or use particular to the site; change is allowed so long as it does not adversely affect the overall significance of the place or elements of exceptional or high significance	May fulfil criteria for local heritage listing or contribute to state heritage listing
Little	4	Elements may be difficult to interpret or may have been substantially altered or modified, which detracts from their heritage significance or demonstrate a utilitarian use that has not particular significance to the site; alternatively the element may not be associated with a historic period.	Does not fulfil criteria for local or state heritage listing
Neutral	5	Elements that do not add to the significance of the place in a positive way, although they do not detract from the overall significance of the place (not intrusive).	Does not fulfil criteria for local or state heritage listing
Intrusive	6	Element is damaging to the place's overall heritage significance.	Does not fulfil criteria for local or state heritage listing

Fernhill includes buildings, elements of buildings, structures, landscape features and site elements and a range of items of varying significance within the overall heritage significance of the place. These have been graded according to their relative significance (Table 5).

Table 6: Gradings of heritage significance for Fernhill

Structure, Space or Element	Plan Location	Location or Building	Grading
Stables Building (c. 1839)	1	Overall Rating	1
Exterior sandstone walls		Stables	1
Sandstone flagging in stables (northern end)		Stables	1
Skillion verandah, eastern elevation		Stables	2
Horse stalls (northern end)		Stables	2

Structure, Space or Element	Plan Location	Location or Building	Grading
Sandstone flagging on eastern and western verandahs and in saddlery (central area) (replaced in 1980s)		Stables	4
Roof (replaced in 1980s; slate roof is not original roofing material)		Stables	4
Saddlery joinery (centre)		Stables	4
Accommodation rooms (southern end)		Stables	4
Slate roofing tiles, 1980s (originally timber shingles; mid-20 th century the roofing material was galvanised iron)		Stables	4
Skillion verandah, western elevation (c. 1980s)		Stables	5
Kitchen and bathroom fitouts in southern end, (1980s interior walls)		Stables	5
Pump at base of northern elevation (external)		Stables	6
Fernhill House (c. 1842)	2	Overall	1
Exterior sandstone walls (excluding laundry addition on south wing)		House	1
Remaining original internal wall structure		House	1
Sandstone flagging (original)		House, B01, G36, G37 and G38	1
Wall niches		House, G01 and G05	1
Ceiling and internal roof structure from original construction phase		House	1
Decorative architraves, papier-mache cornices (rare) and ceiling roses - remaining original elements (it is not clear as to the extent of original and replaced material)		House	1
Original door leaves		House	1
Roof form (excluding addition of ensuite bathroom on northern elevation)		House	1
Slate roofing tiles (not original roofing material)		House	4

Structure, Space or Element	Plan Location	Location or Building	Grading
Interior window and door joinery, and timber skirting boards (excluding north and south wings that have been substantially altered in the early 1960s and 1980s)		House	1
Chimneypieces (some have been reinstated into different rooms, but most are original to house; dining room chimneypiece is later addition; master bedroom chimneypiece was relocated in 1980s; chimneypiece removed from G23 in 1980s when converted to bathroom; chimneypiece in G29 has either been relocated or is new with 1980s changes to northern internal wall)		House	1
Timber floorboards - original		House, G04	1
Timber floorboards – c1960 onwards replacements		House, G04	4
Internal room configuration of principal living and bedrooms		House, G01, G02, G03, G04, G06, G16 and G17	1
Internal room configuration and joinery in hallway		House, G05	1
Configuration of external stairs to basement		House, G34 and G35	1
Configuration of internal courtyard (timber columns are replacements)		House, G36	1
Configuration of northern and southern verandahs		House, G37 and G38	1
Original room configuration of basement rooms		House, B01 and B02	1
Internal room configuration of basement rooms (altered in 1980s with timber panelling on ceiling and/or walls; originally had dirt floors)		House, B03, B04, B05, B06 and B07	1
External and internal timber window shutters		House	1
Stone stair and metal railing from ground floor hallway to basement		House, B10	1
Interior window and door joinery, and timber skirting boards - original elements		House, north & south wings	1

Structure, Space or Element	Plan Location	Location or Building	Grading
Internal fitout of living room (altered in 1960s to two bedrooms and in 1980s to current configuration; originally kitchen with four fireplaces)		House, G29	3
Decorative architraves, cornices and ceiling roses - altered or reproduced in late 20 th century (extent of original and reproduction is not known)		House	3
Internal room fitout of master bedroom (altered in 1980s including demolition of internal wall forming two bedrooms and new doorway to 1960s ensuite bathroom from bedroom)		House, G12	3
Internal room configuration of hallways (altered in the 1960s and again in the 1980s with addition of ensuite bathroom and access from master bedroom; alterations are reversible if ensuite bathroom were to be removed)		House, G13, G14	3
Interior window and door joinery, and timber skirting boards - late twentieth century elements		House, north & south wings	4
Internal fitout of hallway, bathroom and cupboard (altered in the 1980s; previously the scullery, linen cupboard and hallway from bedrooms to dining room and kitchen)		House, G18, G19, G20	4
Window joinery to northern wall of bedroom, 1980s (originally a door)		House, G28	4
Slate roofing tiles, 1980s (originally timber shingles; mid-20 th century the roofing material was galvanised iron)		House	4
Internal room configuration of bedroom (altered in 1960s)		House, G30	5
Internal fitout of basement rooms (floor and ceiling fabric altered in 1980s)		House, B09, B10	5
Internal room configuration of basement rooms (intrusive services)		House, B11, B12	5
Sandstone flagging floor, 1980s		House, G01, G02, G05, G13, G24	5
Sandstone flagging floor, 1980s (replaced original sandstone flagging possibly due to water damage)		House, B02	5
Internal room fitout of bedroom, walk-in-robe and bathroom (altered in 1980s; previously one bedroom; alterations are reversible)		House, G21, G22, G23	5

Structure, Space or Element	Plan Location	Location or Building	Grading
Internal room fitout of hallway and bathroom (altered in 1980s; originally one room; alterations are reversible)		House, G24, G25	5
Internal room fitout of bedrooms and hallway (altered in 1960s and 1980s; originally one room; alterations are reversible)		House, G26, G27, G28	5
Internal room fitout of bedroom, bathroom and toilet (altered in 1960s to form three rooms; originally one room)		House, G31, G32, G33	5
New wall and fitout of basement room (originally a larger external area with grain chute and dirt floor)		House, B08	5
Internal room configuration of kitchen and laundry		House, G07, G08	5
Internal room configuration of cool-room, bathroom and cupboard		House, G09, G10, G11	5
Timber columns to internal courtyard (form and type of fabric are high significance, but current fabric is lower significance)		House, G36	3
Exterior sandstone walls – laundry extension, 1980s		House, south wing	5
Fabric covering walls in main rooms, 1980s (by French designer)		House, G03, G04, G06, G12, G16	5
Carpeted floor, 1980s		House, G03, G06, G12, G18, G21, G29	5
Tiled floor, 1980s		House, G19, G23	5
All bathroom and kitchen joinery, 1980s		House	5
Timber panelling (Huon Pine) to northern wall, 1980s (originally kitchen with four fireplaces) (Huon Pine may have significance in its own right due to its rarity)		House, G29	5
Timber panelling on ceiling and/or walls (added in 1980s)		House, B03, B04, B05, B06, B07	5
Internal room configuration of ensuite bathroom (added by Peddle Thorp Walker in 1960s with door to Master Bedroom added in 1980s; alterations are reversible)		House, G15	5

Structure, Space or Element	Plan Location	Location or Building	Grading
Other Buildings			
Stone lined water reservoir c1842 (tank) (excluding concrete roof)	5	West of north wing of house	1
Concrete and grass roof over the stone lined water reservoir 1980s	5	West of north wing of house	5
Ruin of winery, date unknown (pre-1950s possibly mid 1800's)	11	South of aviary; west of house	2
Sorensen's open garage, 1970s	4	West of house	4
Lunge yard with timber shingle roof, 1970s	14	Along southern driveway	5
Gardener's shed, 1970s	6	South-west of house	5
Vineyard shed, 1970s	5	South-west of house	5
Long aviary, 1980s	9	West of workshop ruin	5
Circular aviary, 1980s	10	South-west of workshop ruin	5
Entertainment building, 1982	3	North of 1830s stables	5
Sandstone loose rubble boxes in paddocks, 1980s	18	West of house	5
Hay barn, 1980s	12	North of northern access driveway	5
Ruin of workshop, early 1980s	9	West of house, near aviary	5
Pump house and retaining wall, 1980s	38	Dammed lake north of house	5
Stables complex, 1980s	18	Along southern driveway	5
Manager's Residence and adjacent open garage, early 1980s (constructed by Stan Hillier to a similar design of house at Elizabeth Farm)	8 7	North of house	5
House	15	Mulgoa Road	5
Farm House and outbuildings	16	Mulgoa Road	5
Site of former Post Office (archaeological site)	17	Mulgoa Road	2

Structure, Space or Element	Plan Location	Location or Building	Grading
Built Elements			
c1840 stone wall extending from rear of house to Stables and then south including gate posts. High stone wall with distinctive banding of large and small coursed sandstone rubble with a peak top course.	20	Rear of house	1
c1980s additions to stonewall at rear of house	20	Rear of house	6
Original alignment of southern driveway and the serpentine carriage drive approach to the house to the point at which the Sorensen changes removed the early drive	22	Landscape to east of house	1
Original alignment of southern driveway near Mulgoa Road that is no longer used with flanking tree plantings	62	Landscape to east of house	1
Portion of new southern driveway alignment changed in the 1950s following realignment of Mulgoa Road	23	South-east corner of Estate	2
Timber entry gate and stone fencing to southern driveway, 1980s (location 1950s)	29	Off Mulgoa Road	5
Reflection pool along southern driveway to house – original construction and fabric (historically significant design element in landscape)	L10	Along southern driveway to house	1
Late twentieth century alterations (including walls and fencing) to reflection pool along southern driveway to house	L10	Along southern driveway to house	6
Pair of ornamental stone bridges - original fabric and construction (historical design element in landscape; rebuilt in 1960s and again in 1980s)	19	Along southern driveway to house	1
Pair of ornamental stone bridges - rebuilt fabric from the 1960s and 1980s	19	Along southern driveway to house	4
Northern driveway alignment (potentially established in the early 20 th century)	24	Landscape to east of house	3
Northern driveway re-alignment (changed in the 1950s following re-alignment of Mulgoa Road)	25	Landscape to east of house	3
Timber entry gate and timber fencing to northern driveway, 1980s	30	Off Mulgoa Road	5

Structure, Space or Element	Plan Location	Location or Building	Grading
Driveways (minor) around the house dating from the 1980s onwards	37	North and west of house	4
Two quarry sites and setting (used to source sandstone for Fernhill's early buildings; one is located below the road that leads past the aviaries and workshop building to the north-west of the house; the other is located on the far bank of the creek opposite)	31	West of house	1
Tennis court, c1920s	52	South-west of house	2
Timber pergola with Doric order sandstone columns (designed by Sorensen in 1970s)	42	North of house	4
Rose garden, sandstone stairs and stone sundial (designed by Sorensen in 1970s)	47	North of house	4
Dammed lake and island (designed by Sorensen in 1970s)	40	East of house	4
Dammed lake timber bridge and summer house added by Andersons (1980s)	40	East of house	5-6
Concrete or stone paved paths and retaining walls (designed by Sorensen in 1970s)	48	West of house	4
Looped driveway from car parking area to Sorensen's garage & south in loop access south wing of house (designed by Sorensen in 1970s)	49	South-west of house	4
Swimming pool (designed by Sorensen in 1970s and altered to current proportions in 1980s)	53	South of house	4
Terraced garden, including retaining wall and stone balustrade (designed by Sorensen in 1970s; blocks views and vistas from southern verandah)	54	South of house	4
Car parking area & stone retaining walls, designed by Sorensen in 1970s	50	North-west of house	4
Stone retaining wall, c 1980's	21	Along main access road, around western paddocks, along sections of northern drive, etc.	5
Timber post and rail fence in paddocks, 1980s (may have replaced earlier fencing in this area; likely to have been replaced or repaired following 2000 bushfires)		West of house	5
High wire fence to enclose deer	58	North of house	5

Structure, Space or Element	Plan Location	Location or Building	Grading
Dammed lake, 1980s	L9	North of house	5
Five smalls dams, 1970s (altered 1980s)	L3, L4, L5 L14, L15	Near racetrack east of house	5
Fire track, date unknown	32	Leading west of southern driveway alignment through western portion of Estate	5
Stockyards in clearing along fire track, date unknown		Western portion of Estate	5
Stockyards near orchard, date unknown	57	East of hay barn and orchard along northern driveway	5
Sandstone stairs and arched timber trellis and retaining walls, 1980s	59	To Manager's Residence	5
Racetrack 1980s	26	Landscape east of house	5
Racetrack fencing, 1980s	26	Landscape east of house	5
Racetrack rail	26	Landscape east of house	5
Septic Tanks	61	West of the house on creek edge	5
Landscape Features and Plantings			
Undulating 'park-like' cultural landscape grounds of Estate remaining from the early period of development		Landscape	1
Retained Rough-barked Apple (<i>Angophora floribunda</i>) and Broad-leaved Apple (<i>Angophora subvelutina</i>) throughout Estate grounds		Landscape Areas 2-7	1
Remnant natural landscape (Cumberland Plain Woodland, Shale Sandstone Transition Forest, Sandstone Ridgetop Woodland, Western Sandstone Gully Forrest)		Landscape Area 6	1
Remaining plantings in the broader landscape from the colonial period including apple gums (<i>Angophora floribunda</i> and <i>A. subvelutina</i>) along the original driveway alignment (historical design element)		Landscape and along southern driveway to house	1

Structure, Space or Element	Plan Location	Location or Building	Grading
Remnant colonial era trees including pines (Stone, Bunya and Hoop) and Camphor Laurels, late 19 th century		In the grounds around the house to the south & east	1
Littlefields Creek (area of Cumberland Plain Woodland regrowth; creek and its contributories are original alignments)	BB	Southern property boundary	3
Areas of Cumberland Plain Woodland regrowth	BB	Landscape Areas 3 and 7	3
Areas of Alluvial Woodland regrowth	BB	Landscape Areas 3 and 5	3
Landscaping works undertaken by Sorensen, 1970s (representative of his work; individual features noted under built elements above)		House garden	4
Vines, 1980s (formerly a vegetable garden designed by Sorensen)	58	South-west of tennis court	4
Plantings east of entertainment building and 1830s stables		West of house	4
Chinese Elm Grove (designed by Sorensen in 1970s in association with car parking area; block views and vistas)	46	North-east of house	4
Trees lining northern driveway, 1980s	24	Along northern driveway	4
Orchard, 1980s (overlaid on earlier 1960s orchard)	27	North of northern driveway	4
Willow tree, Giant Bamboo and hedge, 1980s	36	Along access road north of northern dammed lake to Manager's Residence	5
Replanted natural vegetation on eastern portion of Fernhill Estate (revegetated area post realignment of Mulgoa Road)		East side of Mulgoa Road in vicinity of St Thomas Church	5
Realignment of Mulgoa Road, 1949	65	This is the works to level, straighten and bypass much of the early meandering road route.	6
Pine trees , 1980s (block views and vistas to north)	35	Lining the south bank of the northern dammed lake	6

Structure, Space or Element	Plan Location	Location or Building	Grading
Hedge, 1980s (block views and vistas to north)	39	South of northern dammed lake, along access road to rear of house	6
Pine trees in paddocks, 1980s (most have been removed; will lead to further blocked views and vistas to east)		East of house	6
Casuarinas in paddocks, 1980s (located around dams)		East of house	5-6
Water pipe and electricity transmission easement, 1950s	28	West of house	6
Archaeological Potential			
Original carriage loop (removed with landscape works by Sorensen in 1970s). It is not known if the loop was covered or removed. Directly in front of the house it is likely that it was covered, but as the land was excavated for the ornamental lake the lower or eastern section of the loop is likely to have been excavated		East of the house	1
Cesspit (located west of original south wing, covered by laundry addition to south wing in early 1980s)		Under laundry addition to south wing of house	1
Archaeological deposits associated with early phases of the house (disturbed and impacted by substantial fill following landscaping works by Sorensen in 1970s and subsequent landscaping works in 1980s)		Surrounding house and stables	1
Site of former Post Office	17	Near Mulgoa Road	2

The following plans show the gradings of significance throughout the place. The numbers (1-6) correlate to the definitions of the significance gradings in Table 4 (above).

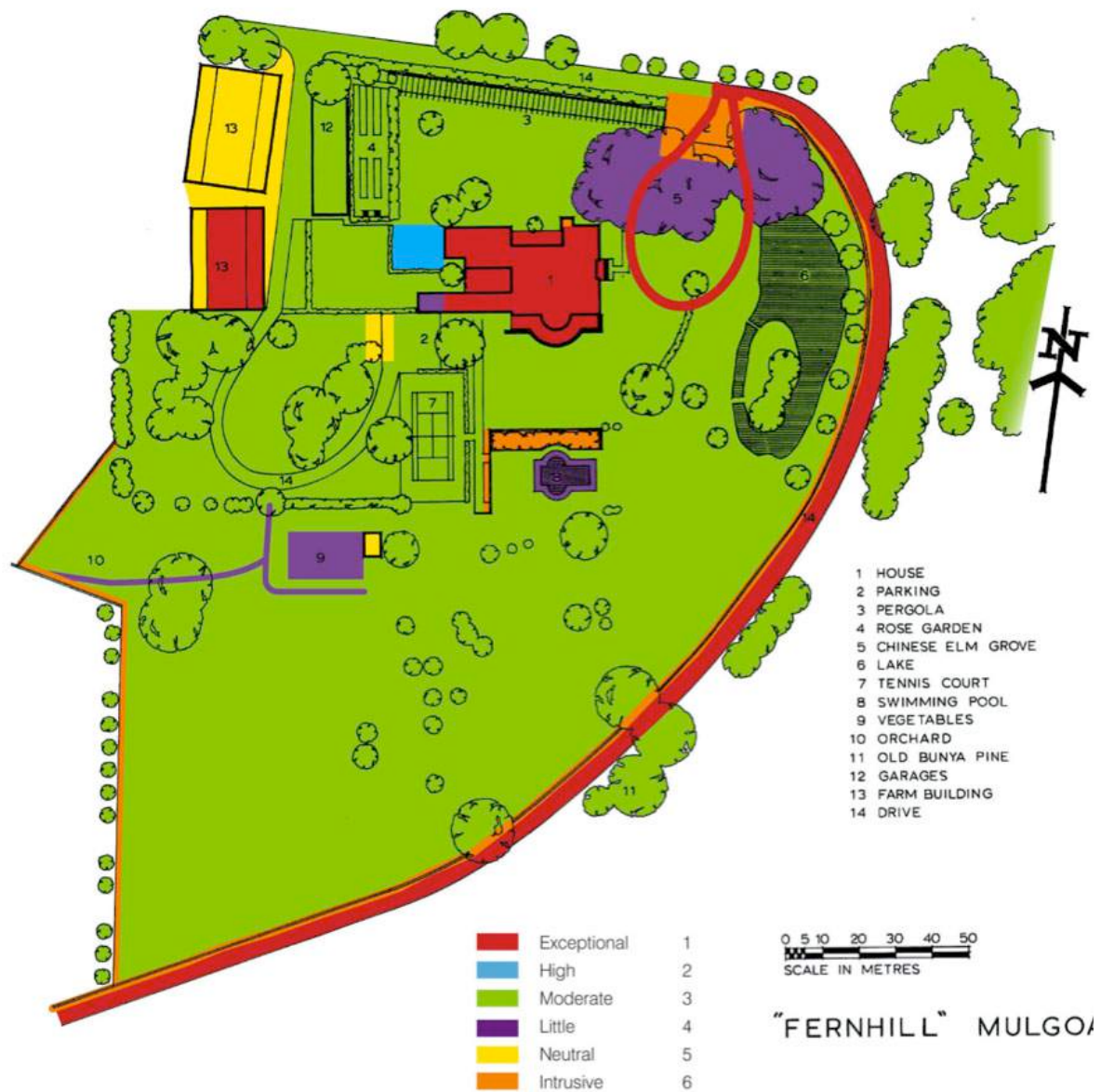


Figure 288: House garden (Landscape Area 1) showing gradings of significance

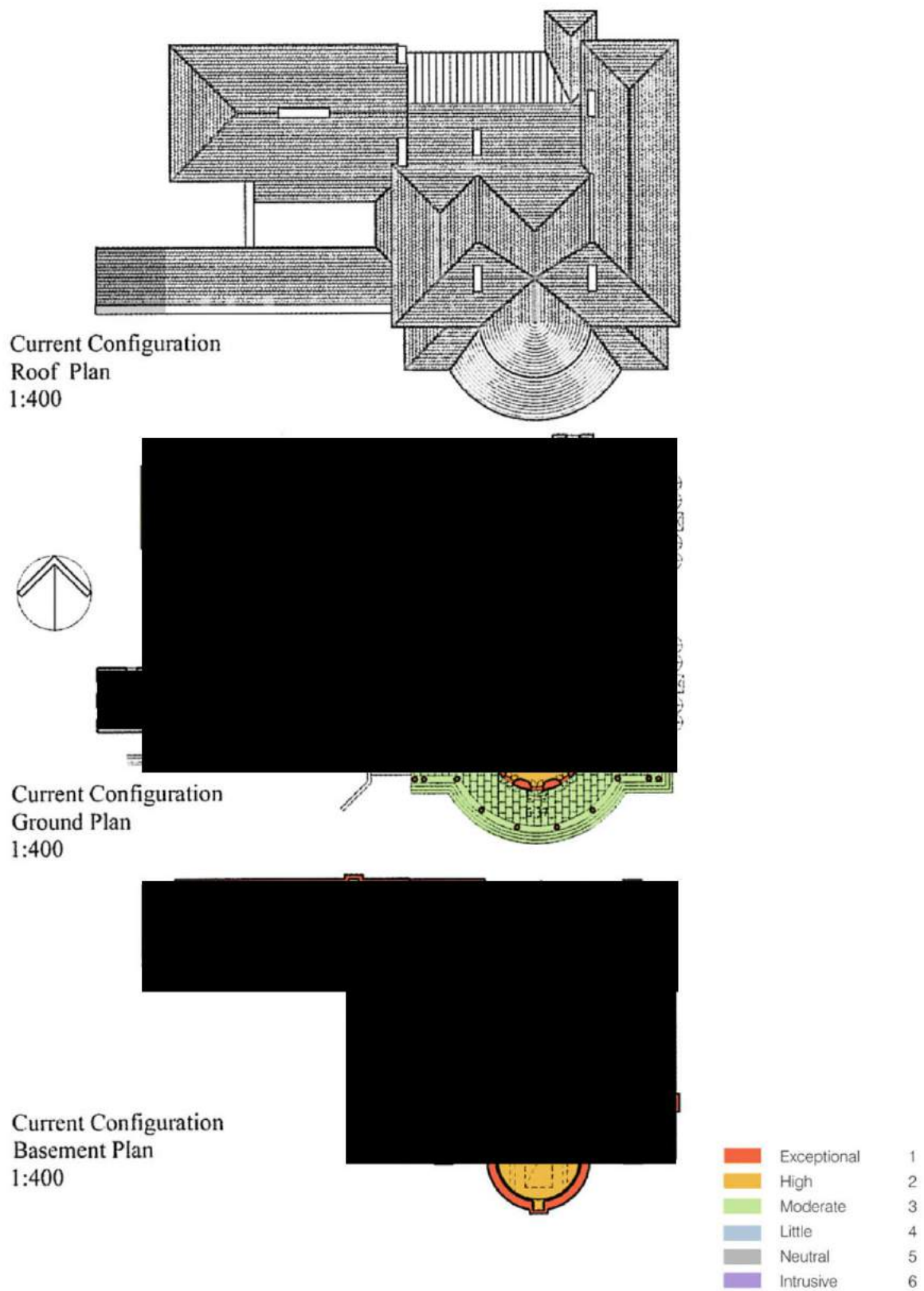


Figure 289: Floor plans showing gradings of significance for internal room configuration

Figure 290: Fernhill Estate Central, Eastern and Northern Lands, Gradings of Significance and Identification of Site Features.

Key to Plan:

1 1842 Stables	2 Fernhill House	3 Entertainment Building
4 Sorensen Garage	5 Vineyard Shed	6 Gardener's Shed
7 Garage	8 Manager's House	9 Workshops
10 Round Aviary	11 Winery Remains	12 Hayshed
13 Stables	14 Lunge Yard	15 Residence
16 Farm Residence	17 Site of Post Office	18 Loose Boxes
19 Stone Bridges	20 c1840s Stone Walls	21 c1980s Stone Walls
22 Main Entry Drive (south)	23 Entry Drive Deviation (south)	24 Service Entry Drive (north)
25 Service Entry Drive deviation (north)	26 Racetrack	27 Orchard
28 Electricity Easement	29 Entry Gates (south)	30 Entry Gates (north)
31 Quarries	32 Service Tracks	33 Fire Trail
34 Stockyards	35 Pine plantings – Stables	36 Pine Plantings - Dam Precinct 2
37 Bamboo Grove	38 Pump House	39 Hedgrows
40 Sorensen lake and island	41 Sorensen Parking Bay	42 Sorensen north pergola
43 North lawn	44 North lawn retaining wall	45 North drive
46 Elm Grove	47 Rose Garden	48 West Gardens and retaining walls
49 Southern driveway deviation	50 House parking area	51 Location of cess pit (former)
52 Tennis Court	53 Swimming Pool	54 Pool Terrace and retaining wall
55 South lawn	56 East lawn	
57 Deer Enclosure Fence	58 Vineyard	59 Stone Wall and Trellis
60 Original Main Drive (abandoned)	61 Septic Tanks	
62 St Thomas Church	63 St Thomas Church Rectory (former)	64 Cox's Cottage
65 Mulgoa School	66 Mulgoa Road	67 St Thomas Road
L1 Main Dam - Precinct 5	L2 Small Dam - Precinct 5	
L3-5 Dams - Precinct 4	L6 Dam - Precinct 5	L7 Dam - Precinct 5
L8 Dam - Precinct 5	L9 Dam - Precinct 2	L10 Reflection Pond - Precinct 4
L11 Dam - Precinct 4	L12 Dam – Precinct 3	L13 Dam – Precinct 8
L14 Dam – Precinct 4	L15 Dam – Precinct 4	L16 Dam – Precinct 2

4.4 Heritage Listings

The following table outlines Fernhill's statutory and non-statutory heritage listings.

Table 7: Heritage Listings for Fernhill

Listing	Description
Statutory Listings	
State Heritage Register under the Heritage Act 1977 (NSW) (items of state significance)	"Fernhill"; listed on 2 April 1999; No. 00054; state significance Former Permanent Conservation Order 3 July 1981; state significance The submission and endorsement of this CMP satisfies the requirement of the Act for a conservation management plan to be in place over state listed heritage items. The CMP has been prepared within the framework of the Heritage Act 1977.
Sydney Regional Environmental Plan No 13—Mulgoa Valley under Environmental Planning and Assessment Act 1979 (NSW) (items of state significance)	Fernhill was a scheduled item in the REP until it was repealed in 2010 following the gazettal of the new LEP 2010. This is no longer applicable. However it is noted that many of the provisions of the SREP have been relocated to the 2010 Penrith DCP.
Penrith Local Environmental Plan 2010 (items of local or state significance) ¹⁹⁴	The Fernhill property is covered by a number of separate heritage listings that include all of the land except the Western Precinct. "Fernhill, outbuildings, landscape"; 1041-1117 Mulgoa Road, Lots 10 and 11, DP 615085; Lot 2, DP 541823 state significance Fernhill curtilage: Lot 1, DP 570484; Lot 6, DP 173159;; Lot 12, DP 610186; Lot 2, DP 211795; Lots 1-4, DP 260373 local significance. See discussion below related to the implications arising from LEP 2010 in relation to detailed heritage matters on the site.
Non-statutory Listings	
Register of the National Estate	"Mulgoa Group and Landscape"; Mulgoa Rd, Mulgoa, NSW, Australia; listed 21 March 1978; No. 3108 "Fernhill"; Mulgoa Rd, Mulgoa, NSW, Australia; listed 21 March 1978; No. 3109 "Fernhill Setting"; Mulgoa Rd, Mulgoa, NSW, Australia; listed 21 March 1978; No. 3110
National Trust of Australia (NSW)	"Fernhill"; Mulgoa Road, part of Mulgoa Group, Mulgoa, NSW; No. 7506 "Mulgoa Road, Mulgoa Group"; Mulgoa, NSW; No. 9065

The figures below illustrates the curtilage (boundary) for the SHR listing of Fernhill and the LEP 2010 listings.

¹⁹⁴ Under new Standard LEP Instrument, heritage items on local planning provisions can only be of state heritage significance if they are listed on the SHR.



Figure 291: Extract: Penrith LEP 2010 Heritage Map 007, showing part of the Fernhill site at left (coloured, Heritage Item No. 2260128). This also shows the locations of adjacent heritage items, numbered (see Table for detail).

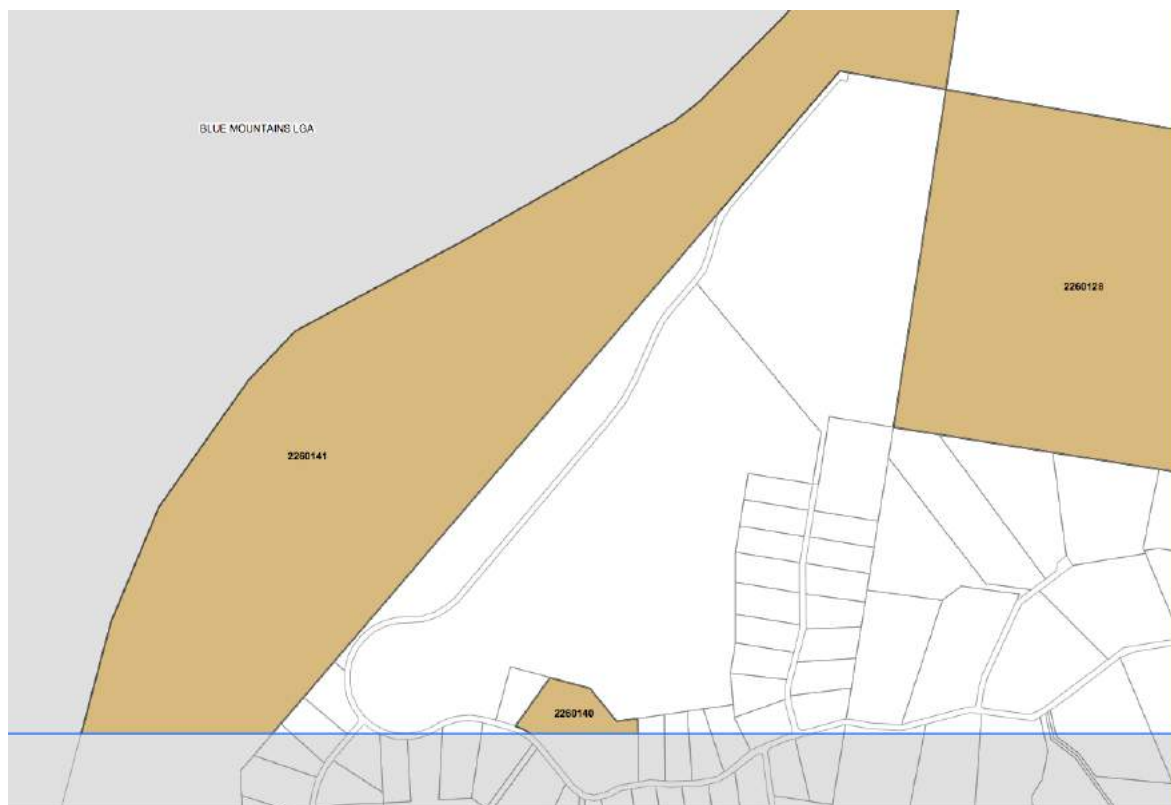


Figure 292: Extract: Penrith LEP 2010 Heritage Map 001, showing the western part of the Fernhill estate under the LEP heritage listing (coloured) at right. The nearby separately listed sites are Fairlight (Heritage Item No. 2260140 to the south), which adjoins Fernhill estate lands which are not heritage-listed, and item 2260141 to the west, which is a local heritage item in the LEP. (Details of heritage items in the vicinity of Fernhill outlined in below).



Figure 293: SHR map of the gazetted listing for Fernhill.

Fernhill is also in the vicinity of several other heritage items of local and state heritage significance, as listed below (Table 8).

Table 8: Statutory Heritage Listings in Vicinity of Fernhill

Listing	Description
State Heritage Register under the Heritage Act 1977 (NSW) (items of state significance)	▪ “Cox’s Cottage”; listed on 2 April 1999; No. 00171; Former Permanent Conservation Order 31 December 1982; LEP item no. 2260125. Lots 2-4 DP241971. ▪ “Fairlight Homestead and Barn”; listed on 2 April 1999; No. 00262; Former Permanent Conservation Order 15 June 1984;v LEP item No. 2660141. Lot 22 DP 625510. ▪ “St Thomas Anglican Church”; listed on 2 April 1999; No. 00426; Former Permanent Conservation Order 14 March 1986. LEP item No. 2260126. Lot 1 DP996994 and Lot 1 DP 1035490.
Penrith Local Environmental Plan 2010 (items of local or state significance)	▪ “The Cottage”; 1028-1046 St Thomas Road; state significance; Lot 3, DP 241971. ▪ “Fairlight”; 377-429 Fairlight Road; state significance; Lot 22, DP 625510. ▪ “St Thomas ’ Anglican Church and Cemetery”; 43-57 St Thomas Road; state significance; Lot 1, DP 996994 ▪ “Mulgoa Public School Building, hall residence and trees”; 1189-1193 Mulgoa Road; local significance LEP item No. 2260126; Lot 1, DP 853475 ▪ “Table Rock Lookout”; 716-782 Fairlight Road; local significance; Lot A DP 164835 ▪ Section of Old Mulgoa Road

5 Issues, Opportunities and Constraints

This Section sets out details on statutory controls and guidelines, funding opportunities and guidance on managing the property's natural environment, cultural landscape, built environment, archaeological resource and Aboriginal heritage. The section also considers the owners' requirements and the future of the property.

5.1 Statutory Controls, Policies and Guidelines

Works at Fernhill will require particular approvals depending on the nature of the proposed works, such as planning approvals from local councils, heritage approvals from the Heritage Council, licences from the National Parks and Wildlife Service and various exemptions.

5.1.1 Commonwealth Legislation

Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is the Australian Government's environment and heritage legislation. This act is triggered by developments or actions that will have a significant impact on matters of National environmental significance, including world heritage areas, nationally significant Ramsar wetlands, Commonwealth marine areas, nationally threatened species and communities and migratory birds. The EPBC Act includes a process for assessment of proposed actions that have, or are likely to have, a significant impact on matters of national environmental significance. These actions require approval from the Commonwealth Minister, Environment and Heritage.

5.1.2 State Legislation

Heritage Act 1977 (NSW)

The purpose of the Heritage Act 1977 is to ensure cultural heritage in NSW is adequately identified and conserved. Fernhill is listed as a heritage item of heritage significance on the State Heritage Register (SHR) of NSW under this Act.

Minimum Standards of Maintenance and Repair

Minimum standards of maintenance and repair are required for sites listed on the SHR, and certain maintenance works are exempt from approval under the Act. Reference should be made to the Minimum Standards of Maintenance and Repair under Section 118 of the Act and as specified in the *Heritage Regulations 2005*. Minimum standards of maintenance and repair generally relate to: protection of the item from weathering; protection from damage or destruction by fire; protection from security threats; and essential maintenance and repair.

Maintenance works at Fernhill should be established to ensure compliance with the minimum standards under the Heritage Act and Regulations.

Approvals for Works

Some development approvals or exemptions are required under the Heritage Act as well as the EPA Act. If works are not exempt under the Heritage Act, they will require a Section 60 application following approval of an integrated development application through Penrith Council. The IDA process is recommended for approvals required under both Acts, as it

enables heritage issues to be dealt with by the local council and the Heritage Council, and it reduces delays in the approvals process.

Standard exemptions apply to all properties listed on the SHR under s.57(1) of the Act. Certain activities are granted exemption from approval by the Heritage Council of NSW (or its delegate). These activities are considered minor in nature and will only have minimal impact on the heritage significance of a place, and include maintenance, repairs and minor alterations.

Reference should be made to Standard Exemption Guidelines for specific details about activities considered minor in nature. Fernhill does not have any site specific exemptions under s.57(2) of the Act.¹⁹⁵

Some exempt works require notification to the Heritage Council of NSW, such as restoration, painting and temporary structures.

Historical Archaeology

If historical archaeological relics are found or there is potential for their discovery, the Heritage Branch of the NSW Department of Planning must be notified under s.139 of the Act.

A relic is defined under the Act as a deposit, object or material evidence which relates to the settlement of NSW (not being Aboriginal settlement). If proposed works may impact on potential or known relics within the Fernhill SHR curtilage, then the work may require an exemption under s.57(2) or an excavation permit under s.60 of the Act.

Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* governs strategic planning and development assessment processes undertaken by State and Local Government in NSW. Part 5 covers the assessment of development proposals. It is necessary in most cases to submit a development application to the relevant Local Council for permission to erect or alter a building, demolish a building; or change the use of an existing building. This does not apply to a building proposal defined as an 'Exempt Development'. Six categories of development are defined by the legislation: Exempt Development, Complying Development, Local Development, Integrated Development, Designated Development or State Significant Development.

National Parks and Wildlife Act 1979 (NSW)

In addition to a range of other environmental and land management matters, the National Parks and Wildlife Act also includes provisions that apply to Aboriginal objects and places. If Aboriginal objects and places are found, the National Parks and Wildlife Service must be informed under Section 91 of the Act and permits may apply under Section 90. A licence may also be required under the Act to damage or destroy threatened fauna species. Penalties apply for the destruction of Aboriginal objects and places, and the harm of any protected species.

Threatened Species Conservation Act 1995 (NSW)

This Act identifies and protects native plants and animals in danger of becoming extinct. The Sustainability Assessment by Ecological Australia (2008) discusses potential threatened species on the Fernhill Estate, such as Cumberland Plain Woodland.

¹⁹⁵ Site specific exemptions were gazetted for Fernhill under the Act on 23 October 1998, however they were revoked on 11 July 2008.

Cumberland Plain Woodland is listed as an endangered ecological community under the *Threatened Species Conservation Act 1995* and the *Commonwealth Environmental Protection and Biodiversity Conservation Act 1999*.

Noxious Weeds Act 1993 (NSW)

The objectives of the Noxious Weeds Act are to identify which noxious weeds require control measures, identify control measures suitable to those species and to specify the responsibilities of both public and private landholders for noxious weed control.¹⁹⁶ The NSW Department of Primary Industries is the government authority that has responsibility for noxious weeds. Private property owners are responsible for controlling noxious weeds under s.12 and 17A of this Act, and they must notify the local control authority (Penrith City Council) if there are notifiable weeds under s.15 of this Act.

Rural Fires and Environmental Assessment Legislation Amendment Act 2002

The *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* amends the *Rural Fires Act 1997* and several environmental assessment-related Acts. This Act provides for mapping bush-fire prone lands and the development of a Bush Fire Environmental Assessment Code. This code is aimed at streamlining the assessment process for hazard reduction works. To this end, the Code will include general ameliorative prescriptions and, in some cases, species specific prescriptions. Threatened species and their habitats are one of the items considered in the Code.

5.1.3 Commonwealth and State Policies

Building Code of Australia

The Building Code of Australia (BCA) is the national technical document which sets the standards for building work in Australia. The consent authority has the discretionary power to require that existing buildings comply with current building standards, as a condition of approval for proposed works.

The BCA provisions relate to structure, fire safety, access and egress, and services and amenity. The goals of the BCA are to enable the achievement and maintenance of acceptable standards of structural sufficiency, safety, health and amenity.

Any strategies or solutions to ensure that components of Fernhill comply with the BCA should be based on the cultural significance of the place. Where necessary, alternative solutions and performance based outcomes should be pursued to ensure the intent of the code is met without adversely impacting on significant fabric. Professional advice should always be obtained. Should conflicts arise between compliance and cultural significance the Heritage Council of NSW is able to provide advice and assistance in seeking appropriate compliance solutions through its Fire and Services Advisory Panel.

Sydney Regional Environmental Plan No 13—Mulgoa Valley

SREP 13 was in force at the time of drafting the previous CMP's for the property but has now been repealed.

¹⁹⁶ Ecological Australia 2008:47 (Appendix A)

5.1.4 Guidelines

The following Federal and State guidelines are the primary ones that relate to the management of the Fernhill's heritage significance:¹⁹⁷

- *Australian Natural Heritage Charter for the Conservation of Places of Natural Heritage Significance* (2002) by Australian Heritage Commission;
- *Ask First: A Guide to Respecting Indigenous Heritage Places and Values* (2006) by Australian Heritage Commission;
- *Aboriginal Cultural Heritage Standards and Guidelines Kit* (1997) by NSW National Parks and Wildlife Service;
- *Recovering bushland on the Cumberland Plain: Best practice guidelines for the management and restoration of bushland* (2005) by NSW Department of Environment and Conservation;
- *Endangered Ecological Community Information: Cumberland Plain Woodland* (2004) by NSW National Parks and Wildlife Service; and
- *Assessing Heritage Significance* (2001) by the Heritage Office.

5.1.5 Local Government Policies

Penrith Local Environmental Plan 2010

Penrith LEP 2010 applies to Fernhill and Penrith City Council is the local consent authority. As Fernhill is listed on the State Heritage Register, the Heritage Council of NSW is also a consent authority under the Heritage Act.

The LEP sets out statutory controls for heritage items. "Fernhill, outbuildings, landscape and curtilage" is listed under the LEP as a heritage item of state significance. Areas of the broader Fernhill holding are listed as heritage items for their visual setting (curtilage is the term used in the listing sheets) in relation to Fernhill.

In addition, Part 2 Section 2.5 Heritage Management of the Penrith Development Control Plan 2006 has non-statutory provisions that "promote the wise management, development and conservation of the heritage assets of Penrith".

The LEP heritage provisions set out the standard instrument LEP requirements for managing heritage items that apply across NSW and the requirements for making applications etc. These matters are addressed in the various discussion and policy sections that follow in this plan.

Of particular interest and relevance to Fernhill is the potential application of clause 5.10.(10) to the heritage listed parts of the property as part of the ongoing management of the place to conserve its heritage values. A discussion of clause 5.10.(10) is set out as one of the key ways in which the Fernhill Estate can be conserved and maintained, as required by the listings and this CMP. This involves the consideration of uses, zoning and creating a sustainable future for the property that cannot be achieved under the present zoning and currently permitted uses of the site.

Looking at Clause 5.10, the relevant objectives of the clause are:

¹⁹⁷ Other Federal and State guidelines are included in the reference list in Section 7 of this CMP

Clause 5.10 (1)

- (a) to conserve the environmental heritage of Penrith;*
- (b) to conserve the environmental significance of heritage items including associated fabric, settings and views;*
- (c) to conserve archaeological sites;*
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.*

This applies to Fernhill as the Estate is one of the major heritage items and sites within the Council area. The 2010 LEP listing of adjacent lands has recognised that not only the core estate is significant but the adjoining lands provide additional setting for the Estate. There can be no doubt that the original grant area is the area of highest significance, this is recognised in the SHI listing, but the adjacent lands are also now recognised as having some significance.

This CMP recognises the significance of the estate and its policies are designed to conserve the place. This takes place in two ways, firstly the consideration of the original estate lands and their protection and conservation and secondly how the adjoining lands can facilitate the core estate conservation and themselves add to that heritage value.

The second part of this clause is also important as it relates to not only the fabric but to the setting and views. Having a considerable area of additional land around the core heritage estate (The term “core estate” refers to the original Grant on which Fernhill still stands and excludes the lands that have been added to the estate over the last 30 or so years). It allows a range of uses and development possibilities that could otherwise affect core heritage values.

Clause 5.10(4) requires the consent authority (in this case Penrith City Council) to “*consider the effect of the proposed development on the heritage significance of the item or area concerned*” prior to granting consent.

Related to the clause above there are more options to conserve the place because of its extended and extensive form than exist on almost any other private heritage estate. A consideration in this CMP is how to retain core heritage values, how to extend those values onto adjacent land and how to secure the place physically, financially and in terms of a viable future.

Clauses 5.10(5) and (6) enable the consent authority to require the submission of a CMP and/or a Heritage Impact Statement in relation to any development proposal affecting a heritage item.

This CMP has been submitted to comply with these LEP clauses as well as the State Listing requirements under the NSW Heritage Act.

Clause 5.10(7) requires referral to the NSW Heritage Council in the event that the proposed development affects an archaeological site on land other than land listed on the SHR (i.e. this clause does not apply to the SHR listed portion of the Fernhill estate).

There are archaeological sites within the broader holding that invoke this clause.

Clause 5.10(8) requires the consent authority to consider the affect of development on an Aboriginal place of heritage significance, before granting consent, and requires the consent authority to notify the local Aboriginal community about the proposal and to take into account any response received within 28 days.

There are Aboriginal heritage sites within the broader site and any works that may affect those sites will be referred as required.

Clause 5.10(10) *Heritage Incentives* of the Penrith LEP 2010 states:

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and*
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and*
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and*
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and*
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.*

This clause is pivotal to conserving the heritage values of the Fernhill Estate as it provides a way to creatively consider options that can achieve good conservation outcomes that may be outside the scope of the existing planning controls.

At the time of preparing the CMP, the Fernhill Estate is at considerable risk of being lost as an estate, even though the place has heritage protection, as it can be sold off in the current lots that exist across the holding potentially leaving the buildings on a 25 acre lot.

While a CMP needs to be 'removed' to some extent from current pressures and provide long-term guidance, the potential break-up of the estate cannot be ignored when preparing policy and guidelines for the future. Unless Fernhill is secured as an estate, that is at a minimum the securing of the original grant lands, the CMP and its policy are of little value.

The status of Fernhill at the time of writing this CMP is that it is in receivership and while the receivers are prepared to consider heritage outcomes if they can resolve the financial issues of the estate there is an imminent and present risk that the estate will be sold off using the current lots which will destroy much of the heritage value of the property that has existed for over 170 years.

The incentives clause then can be applied to Fernhill in the following ways:

- The clause applies to any of the heritage listed land as the heritage listings for the surrounding land have been created to protect the heritage values of the core heritage estate. This provides a wide scope allowing Council and the NSW Heritage Council to consider options where it can be established that a proposal achieves conservation of the core lands and heritage features.
- As the Estate extends well beyond the original land grant and historic curtilage, the clause provides a rare opportunity to allow development outside the core heritage estate that can facilitate the conservation of the core estate and buildings without having any direct heritage impacts on those elements of the place. It is very rare that

such an option exists on an historic site as most places of heritage value seek some form of development or sub-division within the core setting as that is the only land available for such activity.

- The clause can also allow consideration of a range of new uses on the estate that will facilitate the long-term viability of the place. Overseas and Australian experience of conserving large historic estates strongly points to the need for new and viable business models that remove the need for philanthropy or the reliance on individual funding. That is, while private funding may be appropriate, experience suggests that it is not a long-term model to achieve viability. In contrast a sound business on the estate can provide a high level of certainty about the retention and conservation of the place. This clause allows that model to be considered.

It is also an important consideration to understand the application of clause 5.10.(10) to Fernhill:

- 1 The clause is based on 'facilitating' conservation and the principal test of the applicability of the clause is whether a particular proposal can facilitate conservation. Facilitate is defined (Macquarie Dictionary) as '*to assist the progress of*'. This provides a broad framework to consider any proposal under provided it works towards the conservation of the place.

The clause is not limited in application in that it does not have to achieve or guarantee conservation but it must demonstrate that it is assisting the progress of conservation.

It would be reasonable to expect that this will be undertaken at a high level and that any proposal will be a serious and well thought out one.

- 2 The clause requires an endorsed or agreed conservation management plan. This plan will satisfy that requirement.
- 3 The clause requires that all necessary conservation work to be carried out. This would require the undertaking of works necessary for the immediate conservation and maintenance of the place so that it is in sound condition and then requires a future set of actions to keep the place conserved and maintained. This will be addressed in detail in the policy section but will require schedules of immediate and future work that properly address the scope of the needs of the property along with a way of funding those works that is certain, auditable and guaranteed.
- 4 A proposal that may be put forward under this clause should not have an adverse impact on heritage values. This is often difficult as changes of use and even limited development within a heritage site have the potential to have some impact on heritage values. This clause needs to be considered within the context of the need to conserve the place, the options that are available to facilitate conservation, the level of impact that any proposal may have and how the particular proposal achieves conservation while minimising or mitigating any impacts that may arise.

The clause does not prohibit any proposal but requires a demonstration that the proposal achieves conservation outcomes without undue impacts.

- 5 Any proposal also needs to be considered on a merit basis with regard to other planning and amenity considerations, the application of the clause does not remove the need for a sound proposal outside of heritage considerations.

If these matters are addressed and considered clause 5.10.(10) can be applied to Fernhill.

Penrith DCP Heritage Controls

DCP 2010, amended in 2013, applies to the Fernhill lands. It appears that the DCP is largely the now repealed SREP13 provisions with regard to the Mulgoa Valley. The DCP unusually addresses matters that are normally contained in Local Environmental Plans rather than DCPs. Putting aside the content that refers to heritage listings or is covered in LEP2010, there are two sections in particular that relate to the Fernhill site.

Sections C7 - Culture and Heritage and E2 - Mulgoa Valley, of the Penrith DCP 2010 apply to the site and provide objectives and controls relating to heritage items and the Mulgoa Valley.

C7 Culture and Heritage

General Objectives

The objectives of this section are to:

- a) Promote the wise management, development and conservation of the heritage assets of Penrith;*
- b) Conserve the environmental heritage of Penrith;*
- c) Conserve the heritage significance of the existing fabric, relics, settings and views associated with heritage items and heritage conservation areas;*
- d) Ensure that alterations, additions and infill development are sympathetic and respectful of the values of the heritage place;*
- e) Promote the protection of places which have the potential to have heritage significance but are not identified as heritage items, places or heritage conservation areas;*
- f) Ensure that the heritage conservation areas throughout Penrith retain their heritage significance;*
- g) Provide guidance on the range and application of available conservation incentives;*
- h) Control the demolition of heritage items and archivally record a heritage place in circumstances of demolition;*
- i) Ensure archival records of heritage items and potential heritage places are undertaken in certain circumstances to a prescribed standard; and*
- j) Ensure that proposals for development of environmental heritage are undertaken in a sustainable and appropriate way that conserves its values.*

Determining the Impact on Heritage Significance

- a) Where a proposed development could affect the heritage significance of a heritage item, heritage conservation area or place of potential heritage significance (see Section 7.1.2 below), the applicant is required to lodge a Heritage Impact Statement or Conservation Management Plan (as required).*
- b) A proposed development could affect the heritage significance of a heritage item, heritage conservation area or place of potential heritage significance if it is either in that item, place or conservation area or it is in the vicinity of that item, place or conservation area.*
- c) Impact on a heritage item, place or conservation area can include, but is not limited to:*
 - Affecting the item, place or area itself;*
 - Affecting a significant view to or from the item;*
 - Affecting the setting or heritage curtilage, including any landscape or horticultural features of the item;*
 - Overshadowing of the item;*
 - Affecting the form of any historic subdivision pattern;*
 - Undermining or otherwise causing physical damage to the item; or*

-
- *Otherwise having an adverse impact on its heritage significance.*
 - d) *A Heritage Impact Statement or Conservation Management Plan must be prepared by a qualified Heritage Consultant.*
 - e) *A Heritage Impact Statement must address the issues set out in this section of the DCP and the Submission Requirements for applications in Appendix F3 of this DCP.*

Heritage Items - Objectives

The objectives of this section are to:

- a) *Encourage the retention of existing heritage items and their significant elements;*
- b) *Ensure development is based on the understanding and conservation of the heritage significance of the item;*
- c) *Encourage heritage items to be used for purposes that are appropriate to their heritage significance;*
- d) *Maintain the setting of the heritage item including the relationship between the item and its surroundings;*
- e) *Encourage the removal of inappropriate alterations and additions, and the reinstatement of significant missing details and building elements; and*
- f) *Protect and conserve built heritage in accordance with the principles of the Burra Charter.*

Section C Controls

1. Site Planning

Any new development should be positioned to ensure that the visual prominence, context and significance of the existing heritage item and its setting are maintained.

Front and side boundary setbacks are a major contributor to the character and significance of a heritage item or heritage conservation area. Existing patterns should be maintained in new development to continue the established rhythm of buildings and spaces.

- a) *Development should conform to the predominant front setbacks in the streetscape.*
- b) *Development should respect side setbacks and rear alignments or setbacks of surrounding development.*
- c) *Front and rear setbacks should be adequate to ensure the retention of the existing landscape character of the heritage item or conservation area and important landscape features.*
- d) *Any significant historical pattern of subdivision and lot sizes is to be retained. Subdivision or site amalgamation involving heritage items or contributory buildings should not compromise the setting or curtilage of buildings on or adjoining the site.*

2. Alterations and Additions

This section includes general provisions for alterations and additions to heritage items.

- a) *Single storey additions may comprise the following forms:*
 - i) *Linked pavilions;*
 - ii) *Attached wings;*
 - iii) *Detached pavilions; and*
 - iv) *Attached L-shaped wings.*
- b) *Additions should not extend beyond side boundary setbacks.*
- c) *Attached additions shall have wall indentations to clearly separate the old from the new and articulate wall length.*

Subdivision and Site Analysis

The subdivision of land upon which a heritage building is located has the potential to isolate the building from its setting thereby reducing its cultural or historical significance.

The setting of a heritage building is often referred to as the curtilage and may include the immediate garden, mature trees, original allotment boundaries, paddocks, fencing, outbuildings, archaeological sites, views/vistas or any other feature or space which allows a greater understanding of its historical context. The curtilage is therefore essential for retaining and interpreting the heritage significance of that building.

- a) Proposals for subdivision should define an appropriate setting or 'curtilage' for the heritage building as part of the heritage impact statement or conservation management plan.*
- b) In determining the curtilage of a heritage building, consideration is to be given to the following:*
 - i) The original form and function of the heritage building: The type of structure that constitutes the heritage building should be reflected in the curtilage. For example, it may be appropriate that a larger curtilage be maintained around a former rural homestead than that of a suburban building;*
 - ii) Outbuildings: A heritage building and its associated outbuildings should be retained on the same allotment; and*
 - iii) Gardens, trees, fencing, gates and archaeological sites: Features that are considered valuable in interpreting the history and in maintaining the setting of a building should be identified and, where possible, retained within the curtilage.*
- c) New development shall be of a scale and form that does not detract from the historical significance, appearance and setting of the heritage item. In this way, the following elements require specific consideration:*
 - i) The height of new development near heritage items shall be less than the subject item. Increases in height shall be proportional to increased distance from the items and will be considered on merit;*
 - ii) Views and vistas to the heritage item from roads and other prominent areas are key elements in the landscape and shall be retained;*
 - iii) If the development site can be viewed from a heritage item(s), any new development will need to be designed and sited so that it is not obtrusive when it is viewed from the heritage item(s); and*
 - iv) Curtilages shall be retained around all listed items sufficient to ensure that views to them and their relationship with adjacent settings are maintained.*

4. Gardens, Landscaping and Fencing

In many circumstances it is important to protect, not only the heritage item or conservation area itself, but also the land around it which contributes to its setting, therefore enhancing its heritage significance.

Curtilages shall be established by evaluating the components of a site relative to the building. Key aspects of a property's curtilage include any gardens, entrances, fencing and outbuildings.

The curtilage shall maintain the relationship between these elements so as to allow the heritage item and its site to be understood. As a result, these elements shall be used in determining a suitable curtilage and shall be retained where suitable.

- a) In order to preserve and maintain an appropriate scale and the visual prominence of a heritage item, the building height of new development shall generally not exceed that of the original heritage item. New development or large additions or alterations must provide a transition in height from the heritage item.*
- b) Development proposals, which involve large scale redevelopment and alteration to the original character of the heritage item and will negatively impact on the heritage significance of the curtilage, will not be permitted.*
- c) The colours and materials used in a new development (whether an extension or addition) should complement the colours and materials of the heritage item. New development within the curtilage must not adversely impact upon the significant fabric of a heritage item.*

-
- d) *Where possible, existing fences that have been identified as significant or that contribute to the overall setting or character of a heritage item are to be retained or repaired, rather than replaced.*
 - e) *New fences should either match as closely as possible the original fencing, or if the original fence type is not known, specifically relate to the architectural character and period of the existing heritage item with respect to design, materials, colour and height. Old photographs or careful inspection of remaining fabric can often reveal the original fence type.*
 - f) *New development shall not be sited in front of the front building line of the existing heritage item nor shall it extend beyond the established side building lines of the heritage item.*
 - g) *New development within the same curtilage as a heritage item shall generally not be larger in scale than the heritage item. Reference shall be made to the building height of the heritage item as the maximum permissible building height of alterations or additions.*
 - h) *Vegetation around a heritage item shall be assessed for its value to the item and retained where required.*

E2 - Mulgoa Valley

Background

The Mulgoa Valley Precinct plays an important role in providing:

- *A nature and heritage conservation area on the fringe of the Sydney metropolitan area;*
- *A rural, recreation and tourism centre for Penrith and suburbs in the surrounding region;*
- *An area of limited rural living opportunities in sympathy with its landscape and heritage values; and*
- *A landscape buffer between the Blue Mountains National Park and the suburbs of Western Sydney.*

In addition to the general objectives for Mulgoa Valley, the objectives of this section are to:

- a) *Protect the surviving early colonial rural landscape from any further degradation;*
- b) *Ensure development does not prejudice the remaining evidence of the Cox family's associations with the Valley, its houses and gardens;*
- c) *Preserve and enhance the visual relationship between the sites of Cox's Cottage, St Thomas's Church and Fernhill;*
- d) *Conserve the surviving structures, features and gardens at the major historic and archaeological sites;*
- e) *Protect the visual catchments of heritage items by appropriately siting development having regard to the significance of the setting;*
- f) *Prevent development within the historic landscapes and curtilages of heritage items which may detract from the significance of those sites; and*
- g) *Prevent any activity which could destroy the potential archaeological resources of any heritage items.*

Heritage Items and Vistas Background

In addition to the general objectives for Mulgoa Valley, the objectives of this section are to:

- a) *Protect the surviving early colonial rural landscape from any further degradation;*
- b) *Ensure development does not prejudice the remaining evidence of the Cox family's associations with the Valley, its houses and gardens;*
- c) *Preserve and enhance the visual relationship between the sites of Cox's Cottage, St Thomas's Church and Fernhill;*
- d) *Conserve the surviving structures, features and gardens at the major historic and archaeological sites;*
- e) *Protect the visual catchments of heritage items by appropriately siting development having*

regard to the significance of the setting;

- f) Prevent development within the historic landscapes and curtilages of heritage items which may detract from the significance of those sites; and*
- g) Prevent any activity which could destroy the potential archaeological resources of any heritage items.*

C Controls

- a) No structures are to be located in the view corridors linking the heritage items of Cox's Cottage, St Thomas's Church and Fernhill.*
- b) Figures E2.1 and E2.2 show the extent of the historic landscapes and curtilages in Mulgoa Valley and should be used in assessing the impact development may have on them. Buildings are to be screened from view from heritage items and their curtilages. (Figures E2.1 and E2.2 are located at the end of Section 2.2).*
- c) Penrith LEP 2010 Scenic and Landscape Values Map. No development is permitted in the vistas of these heritage items unless they are for the purpose of restoring, rehabilitating or preserving elements of the heritage items, such as fences, outbuildings, gates, roadways or plantings. Such structures should be designed and sited so as not to detract from the vistas.*
- d) Landscaping, including trees, should be sensitively sited to complement rather than interfere with the vistas.*

Siting

Objectives

In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure that buildings are sited to protect and enhance the rural and natural landscape of the Valley, particularly when viewed from roads and other public places.

C. Controls

- a) Buildings are to be located on mid-slopes to avoid visual impact on ridges and to avoid the banks of watercourses.*
- b) Buildings are to be setback at least 30 metres from public roads and at least 100 metres from Mulgoa Road. This control may be varied depending on the topography of the site.*
- c) Buildings are to minimise excavation, filling and high foundations by avoiding slopes greater than 1 in 6.*
- d) The longest façade of a building is to be parallel to the contours of the land.*
- e) Buildings are to be grouped to minimise the visual impact of buildings in an open rural landscape.*

Planting

Objectives

In addition to the general objectives for Mulgoa Valley, the objective of this section is to protect and enhance existing indigenous vegetation and historic introduced vegetation that contributes to the Valley's rural and natural landscape and its heritage values.

C. Controls

- a) Existing stands of indigenous vegetation and key individual indigenous trees that contribute to the landscape character shall be retained.*
- b) Historic plantings of introduced trees and shrubs shall be retained where they have been identified as significant, or form a positive visual feature in the landscape, or complement a place of historic or cultural significance. For example, the entrance drive of Pinus pinea (Stone pines) at Winbourne, the Araucaria bidwillii (Bunya pines) at Glenmore, the Ficus rubiginosa (Port Jackson Fig) at Fairlight, and Cinnamomum camphora (Camphor Laurel) at Glenleigh.*

-
- c) *Regrowth vegetation in the view corridors linking Cox's Cottage/St Thomas's Church/Fernhill may be selectively thinned to restore the landscape to an historic park-like character. However, the rough barked angophora species (A. subvelutina and A. floribunda) and their hybrids must be retained. For screening or to enhance this landscape character, clumps of three or four of these angophoras should be planted in appropriate locations. Naturally occurring seedlings or those specially propagated from specimens in the locality (provenance stock) for the purpose should be used.*
 - d) *Where possible, indigenous species shall be a guide for use for revegetation.*

Access, Parking and Services

Objectives

In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure the visual impact of access roads, parking areas and services is minimised.

C. Controls

- a) *If practicable, avoid fences on road frontage boundaries.*
- b) *Fences should be simple and unpretentious, and in keeping with traditional forms; e.g. unpainted timber post and rail, timber post and wire, or steel post and wire. Masonry fences, such as brick, blockwork or stone, should be avoided.*
- c) *Gates and entrances should also be simple, and in keeping with traditional forms. Examples are:*
 - i) *Rendered and pointed brickwork, blockwork, sandstone, painted timber or post and rail;*
 - ii) *Decorated gateposts with the property name carved or painted onto the gatepost or painted onto a wide timber top rail; and*
 - iii) *Decorated iron, steel or timber gates.*
- d) *Gates and entrances should relate to the materials and colours of the building to which they belong.*

Signage

Objectives

In addition to the general objectives for Mulgoa Valley, the objective of this section is to ensure signage is in harmony with the existing landscape and character of the Mulgoa Valley Precinct.

C. Controls

- a) *Signage, where permissible, shall relate to the style, character and function of the building or activity.*
- b) *Signage shall not be freestanding in the natural landscape, but relate to walls, fences or buildings.*
- c) *Signage shall be no larger than 0.72 square metres and no higher than 2 metres.*
- d) *Illuminated signage is not permitted.*
- e) *A distinctive signage system for the Valley is encouraged based on colonial lettering faces, proportions, sizes and details.*

Mulgoa Road

Objectives

In addition to the general objectives for Mulgoa Valley, the objectives of this section are to:

- a) *Protect the present rural character and function of Mulgoa Road; and*
- b) *Ensure any new development does not impact on the safety and efficiency of Mulgoa Road.*

C. Controls

- a) *Mulgoa Road shall be maintained as a rural road and shall not be improved to the level of a major regional thoroughfare.*
- b) *Consent shall not be granted to development in the Mulgoa Valley Precinct if:*
 - i) *The safety and efficiency of Mulgoa Road will be adversely affected by the design and siting of the proposed access and by the nature, volume and frequency of vehicles using Mulgoa Road to gain access to the development; and*
 - ii) *Any upgrading or strengthening of Mulgoa Road required to maintain its safety and efficiency detracts from the present rural character and function of Mulgoa Road.*

The DCP contains two maps that set out views and scenic values that affect the Fernhill lands. The maps are difficult to read due to their quality. To assist in understanding what land they cover they have been redrawn over the current aerial photograph of the site. The DCP drawings first appeared in the 1984 study by Clive Lucas and Partners and have appeared in subsequent planning documents (without review or amendment).

The first map (figure 294) identifies the views that were available from the public domain around 1984. This is an assumption as there is no explanation contained in the DCP of the background or meaning of the map. The map separates the land into parkland and woodland. As discussed later in this report views that may have been available in the 1980s are no longer extant.

The mapping reflected the landscape, views and vistas as they appeared in the 1980s. In the ensuing 30 years there has been significant change in the landscape setting through both clearing (of the western precinct) and then major regrowth of natural vegetation as well as physical changes to the landscape. Some areas that are described as parkland, for example, are no longer in that form.

Figure 295 indicates areas of the Fernhill lands that require careful consideration in terms of future planning or development. The mapping also sets out what appear to be 'visual boundaries' in relation to Fernhill House, The Cottage and Fairlight. Some of the mapped areas make sense with what is now seen, however the change in the landscape character of the sites suggests that the DCP plans are now not accurate as they do not reflect what is currently available or what can be recovered.

Irrespective of the deficiencies of the DCP mapping, an intent can be drawn that the lands that form the visual setting of the heritage items need to be carefully managed and protected to retain visual values.

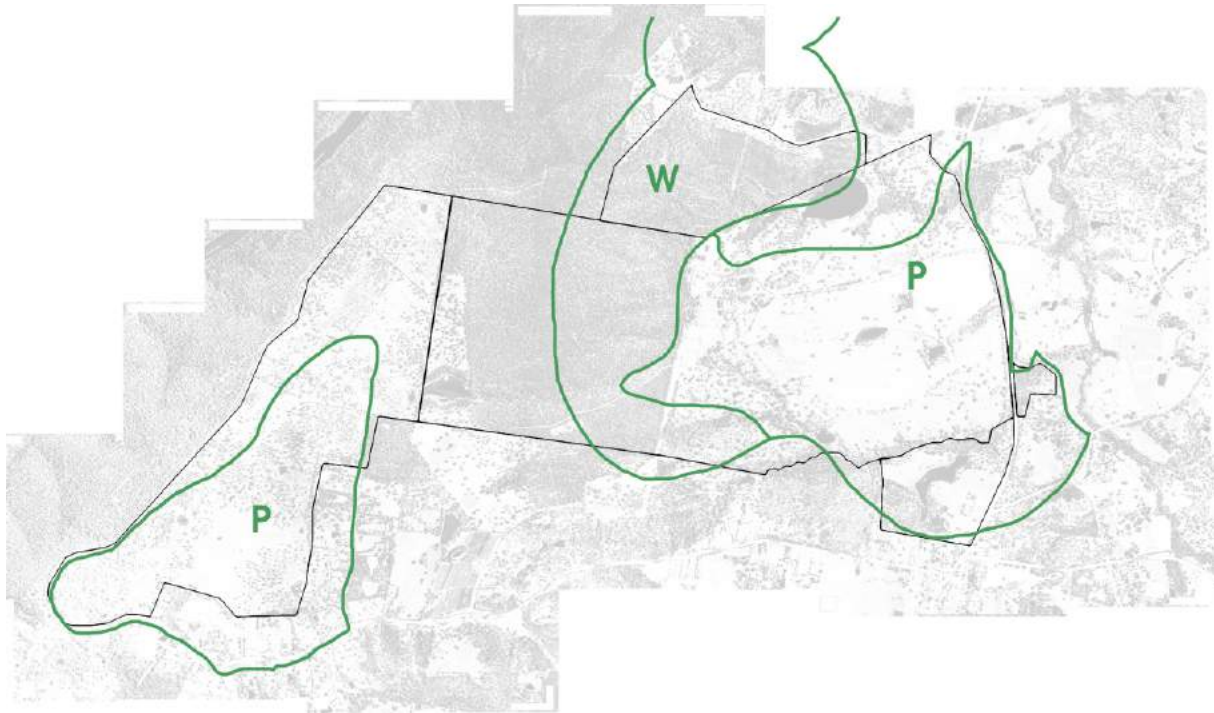


Figure 294: Map from DCP 2010 overlaid on current aerial photograph of the site. The areas marked 'P' are identified as parkland and 'W' indicates woodland. This plan appears not to reflect actual views as they are now found but rather zones the site into landscape types. The minor lack of alignment between the property and road layout and the green overlay reflects inaccuracy in the original mapping.

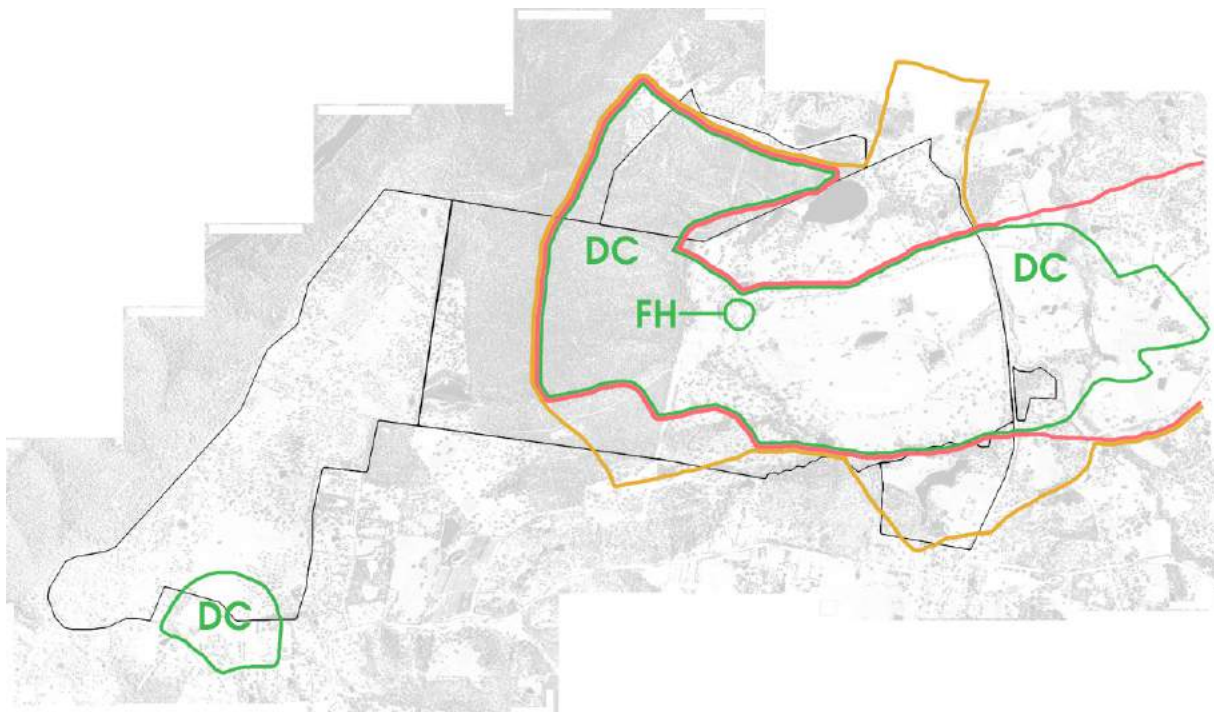


Figure 295: Map from DCP 2010 overlaid on current aerial photograph of the site. The areas marked 'DC', outlined in red, are the areas indicated as requiring detailed design control. The yellow line is the Fernhill curtilage outline, the green line is The Cottage curtilage. It is of interest to observe that the area designated for design control does not reflect the curtilage assessments.

5.2 Conserving the Natural Environment

Fernhill's natural environment consists of landforms, watercourses, lakes and dams and native flora and fauna.

The natural landforms of the Fernhill Estate were a major reason for the siting of the house and the landscape design. The house was constructed on the hill overlooking the Valley with picturesque views, various tributary creeks through the property add to the rural beauty of the property, as do the gently undulating hills. Fernhill's natural landforms should be conserved.

Remnant native vegetation on Fernhill Estate should as an overall principle be retained and conserved. However, there needs to be careful consideration of the place's heritage significance in managing the landscape as the placement of native trees and a range of views and vistas are core heritage values of the place. There may be a need to selectively remove or thin areas of vegetation to recover some of the historic character of the landscape.

Priority, in terms of conserving the environment, should be given to the conservation and maintenance of endangered ecological communities. Ecological communities should be maintained to discourage weeds and to encourage natural regeneration once threats, such as weeds, grazing and mowing/slashing, are controlled and managed.¹⁹⁸

There are around twelve noxious weed species present within the more cleared and disturbed area of site (LA2, LA3, LA4 and LA5). Control measures should be undertaken to prevent the spread of weeds, depending on their type, to comply with the Noxious Weeds Act. Following control measures to kill weeds, native plants should be allowed to grow and re-establish in areas that are designated for regrowth. It is recommended to remove weeds from vegetation areas of good condition, such as in LA6 and along the easement to the east of this area, as a priority. This should then be followed by removal of weeds in other areas, as required. Other weeds on the site (e.g. olives) may be removed if required, however this should be undertaken without impact on native vegetation communities.

Works also need to be undertaken throughout the Fernhill Estate to comply with the *Rural Fires and Environmental Assessment Legislation Amendment Act 2002* in relation to bushfire hazard reduction.

The natural flow regime of Mulgoa Creek to the east and Littlefields Creek to the south has been interrupted by the construction of farm dams. Consideration should be given to the function and need for dams in the management of water quality and natural flow regimes within the property, the downstream catchment, and connectivity particularly along Littlefields Creek.¹⁹⁹ However care is required in contemplating changing dam arrangements as the current infrastructure has developed its own environments that are now well established.

The vegetation around the dams in LA4 is intrusive to the landscape and as suggested elsewhere in this report should be considered for thinning or replacement.

Water bodies that contribute to the place's heritage significance should be retained and conserved and where appropriate recovered to their early form (discussed further under Section 5.4.1 below).

¹⁹⁸ NSW National Parks and Wildlife Service 2004

¹⁹⁹ Ecological Australia 2008:23; Draft Penrith LEP 1999 (Flora and Fauna Conservation)

5.3 Managing the Cultural Landscape

5.3.1 Character and Integrity

The character of Fernhill's landscape has changed since its original design as a picturesque landscape. The house was sited like a Greek temple on a gentle rise with significant views to the Valley and specifically St Thomas' Church and, to a lesser extent, Cox's Cottage. The garden was laid out with the principles of the English landscape garden, a park-like landscape that developed through clearing of native vegetation. Some native species were replanted through the property and clusters of exotic plants were planted near the house. The significant character at Fernhill is that the landscape was designed based on Indigenous plant material and the process of elimination, thinning and tree removal, rather than solely planting. The landscape was also quite sparse and there appear to have been few decorative or ornamental gardens related to the early house, in contrast the pastoral landscape extended almost to the base of the house. Information about the immediate house surrounds is scant and there is reliance on early sketches that indicate a sparse planting close to the house.

The integrity of Fernhill's landscape character has changed in four main phases:

- the re-alignment of Mulgoa Road in 1949 and the relocation of entry points to the property and the creation of the easement for movement of materials and then supply of electricity in relation to Warragamba Dam;
- the addition of large-scale farm buildings in the 1960's by the Darlings;
- the house garden alterations and additions (LA1) by Sorensen in the 1960s and 1970s that were focussed around the house; and
- alterations and additions to the entire property's landscape by the Andersons from the 1980s that involved significant changes to the immediate setting of the house in particular.

The house (1842) and the stables (1839) were the original built elements in Fernhill's picturesque landscape setting approached from a carriage drive that passed over a tributary creek and ornamental bridges, past a reflecting pond and culminating at the house's eastern elevation in a carriage loop. The house was built on a gently rising grassy hill with panoramic views around the valley. Various farm buildings or structures were added throughout 20th century, including a chicken hatchery, piggery, bird aviaries and enclosures for deer and other game animals. These structures were in-keeping with the use of the rural property and were situated away from the house.

The approach to the house was changed following the realignment of Mulgoa Road in 1949, which led to a new entry and portion of the southern driveway further south of the original entry off the new Mulgoa Road and a relocation of the northern entry. It is not known if remnants of the original driveway and entry are on the portion of land on the eastern side of Mulgoa Road.²⁰⁰

The original southern driveway alignment is still visible in the landscape with the remnant apple trees. Reinstating the original entry is not possible for safety reasons due to the cut of the realigned Mulgoa Road. It is recommended to conserve the remnant apple trees along

²⁰⁰ A foot survey was undertaken by Urbis in 2010 of the land on the eastern portion of Fernhill Estate along Mulgoa Road and St Thomas' Road, and no remnant structures were visible; the land along Mulgoa Road has been substantially built up on both sides.

this original portion of the driveway, and to consider replanting this species along the original southern driveway alignment should these trees die, as a way to interpret the driveway's original alignment.

Most elements in Paul Sorensen's landscape design at Fernhill in the 1970s are considered to be of moderate to low heritage significance. While having their own value, as Sorensen was a prominent landscape designer, the Sorensen works largely altered the cultural setting of Fernhill, removing the colonial landscape setting of the house.

The Sorensen landscape falls into two main areas, the first is the frontage of the house with terraces, pool, ornamental pond, infilled carriage loop, parking area and elm grove. The second area is the rear of the house with the levelled lawn, the pergola, the rose garden and the rear buildings.

5.3.2 Fernhill Grounds and Cultural Plantings

The gardens and grounds of Fernhill require maintenance on a more frequent basis than the buildings. This maintenance needs to be undertaken with an understanding of what is important about the original design of Fernhill's grounds, and the landscaped house garden by Paul Sorensen in the 1960s and 1970s. Fernhill's modified cultural landscape and house garden have some significance, as well as providing a picturesque setting for the house.

The significant flora that forms part of the landscape character of Fernhill includes:

- various mature trees, both retained (e.g. apple gums) and planted pines (e.g. Stone, Bunya and Hoop (removed ideally should be replanted) trees, remnant of 19th century garden);
- other plantings around the house garden, such as Camphor Laurels²⁰¹ and Giant Bamboo;
- remnant bushland (e.g. now critically endangered ecological communities); and
- the design of retaining (and/or planting) trees in clumps to highlight significant views and vistas.

Existing or planted flora of exceptional or high significance should be replaced with the same species at the end of the natural life, and with the same design intent for Fernhill's 'parklike' landscape. There are various plantings (and over plantings) added from the 1980s that are of little significance or are intrusive elements in Fernhill's picturesque grounds. Plantings of little significance or that are neutral, such as the grove of Chinese elms north-east of the house (1970s) or Willow trees along the access road north of the northern dammed lake to the Manager's Residence (1980s), may be maintained but not necessarily replanted with the same species or in the same locations. Intrusive plantings, such as the hedge along the access road north of the house (1980s), should be considered for removal or part removal, where these elements directly obscure views and vistas to the Valley and Fernhill's grounds to the north and east.

It was observed that some trees near the house are infected by white ants. A professional inspection and remedial actions should be undertaken to comply with Australian Standard AS 3660 - Termite Management. It is noted that there is a termite management system around house (1842) and stables (1839) that should be inspected and maintained on an annual basis.

²⁰¹ Camphor Laurels were introduced to Australia around 1828 when they were sent from Kew Botanic Gardens in London; The Camphor Laurel Fact Files 2010

The Sorensen garden elements and later modifications may be retained, or have potential for future modification where aspects of the colonial significance of the site would be recovered. Elements of the landscape that have been developed since the 1960's were in poor condition (maintenance has been undertaken in 2013) and a number of features will require repair or reconstruction to remain serviceable.

There is minimal external lighting in the house garden (LA1), which may be a safety issue from accessing the existing carport and driveway up the paved paths and stairs to the house, especially in the area west and southwest of the house that is currently used as the principal entry. Additional lighting requirements around the house garden should be free standing of the house and stables, and should be designed to be sympathetic to the character of the grounds and buildings. Additional lighting may be able to be installed under Standard Exemption 7 - Minor activities with little or no adverse impact on heritage significance. This exemption requires notification to the Heritage Council of NSW (refer Section 5.1.2).

Urgent garden maintenance works have been carried out in early 2013 to recover areas of the garden and to make safe some structures. Ongoing and longer-term maintenance works are required, this will include inspections and repairs (where required), routine mowing and gardening and pruning and repairs to garden elements such as pergolas, stairs, pavements, balustrades and the water reservoir structure (west of house).²⁰²

The following discussion briefly considers the considerations for each of the landscape precincts described earlier in the CMP.

5.3.3 Precinct 1 – The House Garden

The house garden should be retained as a garden setting with expansive lawns around the house. Even though the current form of the garden has removed the colonial setting, it provides a fine setting for the house and is mature and well established. Some elements of the garden setting may be altered or changed in the future provided that the significant aspects of the setting are retained.

The key characteristics of the setting are the garden enclosing the house providing views and vistas out into the landscape.

Key considerations in managing this area in the future include:

- General maintenance of pergolas and garden features
- Compliance in relation to the swimming pool and the need to provide a fence around it
- Requirements for equitable access for uses around the house and into the house
- The poor condition of the concrete balustrading to the terrace and the need to replace it
- Maintenance of paths to remove trip hazards and the like
- Retain all of the early ornamental plantings or replant with matching species
- Potential to recover some of the views to the house from the estate by changing fencing and possibly landforms.

²⁰² Altus Page Kirkland 2010:13-14; maintenance schedule for grounds prepared in consultation with Urbis updated in 2013 by APK and Paul Davies Pty Ltd.

5.3.4 Precinct 2 – North and North-west of the House Garden

This precinct offers potential for re-establishment and development for a range of uses as significant areas have been modified for farm and commercial use. The site of the burnt-out buildings offers potential for new elements to be discretely added.

Key considerations in managing this area in the future include:

- The open lawn area with tree plantings to the west should be generally retained as a screen to the service areas beyond.
- The need to conserve the former winery building, possibly adapt it and provide a suitable setting for it.
- The potential to use the horse paddocks for other equestrian uses.
- Limits on development under the power lines and within that easement.
- The potential to use the immediate land to the north of the access road in conjunction with works in this area.

Overall this area should be managed as gardens and lawn around the buildings and as a service or area for possible development to the west.

5.3.5 Precinct 3 – South of the Southern Driveway

This area comprises paddocks and regrowth along the creek alignment and along the western part of the entry drive. The area should be retained as paddocks separated from the driveway by the serpentine stone wall. It may be possible to locate some farm buildings in the area to serve rural uses but they should be sited well away from the driveway.

There is some potential to extend uses that relate to the stables into this zone but visual setting and the need to retain the rural character should not be compromised.

Areas of regrowth are designated for BioBanking and will be managed for that purpose.

Key considerations in future management of this area will include:

- Retaining the area as an open landscape principally with open paddocks for grazing etc.
- Carefully defining and managing the edge between the paddocks and the regrowth along Littlefields Creek so that regrowth does not encroach into the paddock areas
- Developing appropriate forms of fencing to separate site zones such as BioBanking areas

5.3.6 Precinct 4 – East of the House

This is the central and core part of the rural setting of Fernhill. It retains its open form but has the addition of the race track, the reflecting pond, the rebuilt stone bridges and the stables complex. While the character has changed over time it still retains the key rural setting for the house that overlooks the landscape.

Key considerations in managing this area in the future include:

- Retaining the area as an open landscape without additional buildings or structures.
- Managing the paddock areas to retain their rural use
- Managing fences to prevent further sub-division of the landscape

-
- Managing fences to prevent visual impacts
 - Managing the race track to allow its use, maintain it in good condition and to reduce its visual impact (noting that many edge planted pine trees have been removed to assist in this)
 - Managing the dams and plantings to recreate the more open form to the landscape with small clumps of trees
 - Managing uses so that they do not impact on the rural character to reinstate missing and senescent trees.
 - Conserving the tree lined entry drive with a re-planting program
 - To provide uses that retain the rural character and quality of the area.

5.3.7 Precinct 5 – North of House and Northern Driveway

This area comprises paddocks, an orchard, dams and areas of revegetation. It also contains the hayshed. The topography generally falls away from the central area and the open grasslands provide part of the edge visual setting to the core precinct.

Key considerations in managing this area in the future include:

- Retaining the open pastoral form of the landscape, particularly as viewed from the entry driveway.
- Retaining the driveway as a rural drive without upgrade or enhancement.
- Focussing any new uses requiring buildings on the hay shed area or possibly near the edge of the lake but out of view lines from the entry driveway.
- Managing the pecan grove and potentially other similar uses in that general vicinity.
- Managing the dam, its edges and spillway.
- Keeping any proposed development low and modest in scale to fit into the rural character of the setting.
- Adding farm buildings that may be required to service the farm activities that may take place.
- Carefully defining and managing the edge between the paddocks and the regrowth along the creek so that regrowth does not encroach into the paddock areas

5.3.8 Precinct 6 – Western Hill area behind the House

This area is almost completely regrowth bushland with access tracks for management with a small cleared area on the western edge of the precinct.

The area should be managed for natural values with some potential to add minor development onto the western edge of the area.

5.3.9 Precinct 7 – Eastern Portion of the Estate

This is the small remnant section of the estate separated by the Mulgoa Road deviation and reconstruction, it has been bio-banked and needs to be managed for its natural values.

5.3.10 Precinct 8 – The Extended Estate

The extended estate has local heritage listing on the northern and southern sections and is not heritage listed in the western area. The areas are also subject to environmental zoning overlays that limit use, development and pastoral activities.

Key considerations in managing these areas in the future include:

- The northern precinct is sub-divided into residential lots each with a small area that could accommodate a dwelling. Ideally, this land should be retained with Fernhill and not developed for housing, however, if the lots were to be sold they would be subject to standard planning requirements that allows development on each lot. This land cannot be used as part of the rural use of Fernhill due to the environmental zoning that covers most of the precinct.
- The western land that is not subject to environmental zoning is capable of development under Penrith LEP 2010 and could achieve additional development. Other assessment considerations including the relationship to and impacts on Fairlight would need to be considered. This land cannot be easily be used as part of the rural uses of Fernhill due to the environmental zonings and restrictions.
- The South-eastern land is also capable of some form of development in addition to rural uses. The scale of development, its siting, its relationship to Mulgoa township and Mulgoa Road and potential visual issues would need to be considered in proposing development other than rural uses. There are also two residences in this area that can be retained if required.

5.3.11 Bushfire Management

Fernhill has had a number of severe bushfires across the site in its history. The most recent fire in 2000 destroyed a number of buildings on the site (including the former slab post office on Mulgoa Road), fences and extensive areas of vegetation. The core buildings and site areas were able to be protected largely through the access to large water storage on the property.

The Bushfire Management Plan by Conacher Travers assessed Fernhill Estate as having a “possible high level of vulnerability from the impact of bushfires burning with the adjacent bushland to the north, northwest and south-west of the site”.²⁰³ The report recommends the implementation and maintenance of Asset Protection Zones for the property to comply with relevant legislation. There is a fire trail through Landscape Area 6, which should be maintained to provide access for fire fighters.²⁰⁴

5.3.12 Views and Vistas

The original design of Fernhill’s grounds was to provide for significant views and vistas, through clumps of trees and some that were standing alone, from and to the house along the southern carriage drive, and from the house to Fernhill’s picturesque grounds and the Mulgoa Valley. Various changes to Fernhill over time have impacted on significant views and vistas. Section 3.4 discusses these impacts.

²⁰³ Conacher Travers 2003:14

²⁰⁴ Conacher Travers 2003:23

There are some opportunities to reinstate lost significant views and vistas in future works. This is consistent with the provisions of the DCP. For example trees and hedges planted in the 1980s north and east of the house could be considered for removal or part removal, or not replaced at the end of their natural life, as discussed in Section 5.4.2.

The revegetation of Cumberland Plain Woodland across the estate has impacted the historic views and vistas between Fernhill house, St Thomas' Church and Cox's Cottage that were evident on the 1947 aerial photographs. Historic accounts in Section 2.4 note the once strong visual relationship between these buildings, which has been now been lost through the cumulative affect of the realignment of Mulgoa Road and the construction works to achieve that and increasing natural revegetation both on and off the Fernhill site. As the vegetation is also significant and forms part of the present character of Fernhill, it is not considered appropriate to remove all of the vegetation in these areas to reinstate these view corridors, however a balanced approach to conserving Cumberland Plain Woodland and vistas and views is required to allow some recovery of views and to further open up the setting of the Estate where views can be recovered.

Opportunities should be taken, when they are available, to recover some of the vistas and views that existed and the landscape should be managed to ensure that further views and vistas are not impacted by regrowth or ill-considered changes to the property.

Similarly, the early drive alignment that extended across Mulgoa Road linking the Cottage and Fernhill, which remains in remnant form, even though the deviation of Mulgoa Road has changed the crossing location should be interpreted by management of the immediate landscape setting around the edges of Mulgoa Road.

5.4 Managing the Built Environment

Fernhill's built environment consists of the former stables (c. 1839), the house (1842), roads, bridges, fencing, dammed lakes, landscape features and various farm buildings and structures.

5.4.1 Stables (1839) and House (1842)

Changes to the stables (1839) and house (1842) at Fernhill have resulted in some loss of integrity²⁰⁵, which has reduced the significance of some elements of those buildings. Overall these buildings are of exceptional significance, contributing directly to the place's State heritage significance for their historic and aesthetic values. The loss of integrity is primarily in relation to changes to their external built form and internal room configuration and fitout in the late 19th century. Initially, in the 1960s, works were undertaken by Peddle Thorpe and Walker architects with later works not attributed to an architect or designer.

Significant fabric within both buildings should be retained and conserved in addition to the original room configuration where they presently exist and where they can be recovered in the future. This includes original fabric, such as window and door joinery and form, internal and external window shutters, chimneypieces, wall niches, decorative architraves and cornices, roof and ceiling timber beams and remnant timber shingles, sandstone walls, and sandstone columns on southern verandah. Unpainted joinery should not be painted, nor should any masonry.

²⁰⁵ A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage are still largely intact

The roof form for both buildings should be retained. The stables (1839) and house (1842) were retiled in Welsh Slate in the early 1980s. These buildings originally had timber shingle roofs, followed by galvanised iron in the mid-20th century. Retention of the slate is not required in the long-term if a suitable replacement roofing material can be sourced that compliments the built form and that does not adversely impact on the place's overall heritage significance. Whilst the existing roofing materials are in place they should be maintained and conserved to ensure the building is secure and water-proof.

5.4.2 Stables (1839)

The stables loss of integrity relates to its roof cladding and internal ceiling structures, the addition of a skillion verandah on the western elevation and changes to internal accommodation spaces in the southern end of the building. The external stone walls and those between the stables and saddlery room are original. The ceiling and roof structure was entirely replaced following fire damage. The sandstone flagging on the eastern and western verandahs and in saddlery (central area) was replaced in the 1980s.

Significant elements that should be retained and conserved include the original external sandstone walls and internal stone wall configuration, original sandstone flagging in the stables (northern end only), original skillion verandah on eastern elevation and original horse stable joinery (northern end), and the gable roof form.

Overall the stables are in good condition, including external walls, doors and windows. Some urgent and long-term maintenance works are required, as well as ongoing annual maintenance, to ensure retention and conservation of original built fabric.

Urgent works to the stables in early 2013 included:²⁰⁶

- removing vegetation away from the building and build up of soil at the base of external walls;
- removing leaf litter on the roof and in gutters and downpipes, and sealing (where required) to prevent water penetration around fixings;
- inspecting and repairing valleys, flashings and cappings, including roof tiles to ensure the building is waterproofed;
- new guttering and downpipe to replace damaged sections;
- repair of the eastern verandah structure where posts have failed;
- repairing (and replacing only if repairs are not possible) the damaged single leaf door to the saddlery; and
- inspecting the existing surface/subsoil drainage system.

Unsympathetic repairs to the stables include the use of cement mortar on the sandstone walls. This should be removed and replaced with a lime-based mortar that will allow the building to breathe.

Further changes to the accommodation spaces within the southern end of the stables building could be considered, as this area contains later alterations and additions.

There is some cracking to internal walls, especially above doorways, however this is not to historic fabric. Plans of the original internal roof configuration for the stables are not

²⁰⁶ Altus Page Kirkland 2010:6-7; maintenance schedule for stables prepared in consultation with Urbis updated in 2013 by Paul Davies Pty Ltd.

available, further investigations may need to be undertaken if changes are proposed (e.g. is the fireplace an original element).

5.4.3 House (1842)

There has been some loss of the house's integrity with the 1950s and 1960s and 1980s internal and external alterations and additions. Until ownership by the Darlings, the house appears to have remained in largely original form although reports of the time are that it was in very poor condition requiring substantial repair and reconstruction.

The 1960s changes were undertaken for the Darlings by Peddle Thorp and Walker architects and included:

- A bathroom on the northern verandah (now ensuite bathroom to master bedroom),
- an external room along the northern elevation (since removed),
- change to the internal room configuration in the former servant's quarters to include a bathroom and toilet (now G31, G32 and G33), and
- changes in the south wing.

Changes in the 1980s that further altered the original room layout of the house included:

- the internal room configuration of G12 to form one master bedroom with new door on the west wall to access the ensuite bathroom;
- the external door of G28 was changed to a window;
- the south wing was extended to include a laundry and internal cool-room, bathroom and cupboard;
- removal of internal walls in the new kitchen (south wing, formerly three servants rooms);
- new fitouts to all bathrooms and the kitchen;
- alterations to the former boy's bedroom (G21, G22 and G23) to form a smaller bedroom with bathroom and walk-in-robe;
- alterations in the north wing with the former pantry being a bathroom and hallway (G24 and G25); and
- the reconfiguration of the former servant's rooms to form two small bedrooms and a new hallway (G26, G27 and G28).

The original room configuration has been substantially altered within the house, specifically in the north and south wings and former guest and master bedroom. This has resulted in a loss of fabric, some fabric being covered over, changed internal access through the house, the creation of additional rooms by sub-dividing space, the creation of some large spaces by removing internal walls and new uses for rooms.

Changes to the house over time are allowable as functions change from the 19th to 20th to 21st centuries, however they should always be done in a sympathetic manner, retaining as much original fabric as possible and preferably without altering the room configuration substantially. Some of the changes previously made are reversible if further internal works were occurring within the house, such as removing the panelling on the northern wall to the living room in the north wing (G29) where there may be remnants of the former fireplaces behind the panelled 1980s wall.

Whilst the changes to the house and stables have reduced the significance of internal room

configurations with some loss of original fabric, these buildings overall retain their exceptional significance. Table 6 in Section 4.3 specifically notes elements that have a lower level of significance due to alterations and additions in the late 20th century. It is recommended in the long-term planning of the house that some rooms be considered for recovery to their original configuration.

Overall the house is in good condition and has been well maintained, however the last few years have seen a reduction in maintenance and the deterioration of some fabric. Some urgent repairs are required to conserve significant original fabric. Several rooms in the basement are suffering damp issues, which is evident in the floor, walls and ceiling. Other long-term and annual maintenance works are required to ensure retention and conservation of original built fabric.

Damp issues in the basement

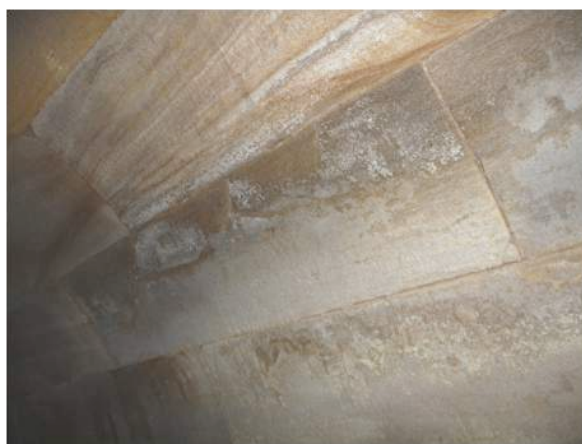


Figure 296: Evidence of salt attack and spalling on the original sandstone walls in Basement room B01



Figure 297: Partly bricked up vent and intrusive services on northern wall in Basement room B10; also shows evidence of salt attack and spalling on the original sandstone walls

Urgent works to the house in early 2013 included:²⁰⁷

- removing vegetation away from the building and build up of soil at the base of external walls (mostly undertaken during the preparation of the CMP);
- removing leaf litter on the roof and in gutters and downpipes, and sealing (where required) to prevent water penetration around fixings (mostly undertaken during the preparation of the CMP);
- inspecting and repairing valleys, flashings and cappings, including roof tiles to ensure the building is waterproofed (mostly undertaken during the preparation of the CMP);
- new guttering and downpipe to replace damaged sections;
- removing and/or replacing intrusive equipment in basement rooms B11 and B12;
- investigating damp issues to sandstone (B01, B02, B03, B09, B10, B11 and B12) and undertaking remedial works (sandstone should not be replaced);
- repairing (and replacing only if repairs are not possible) the damaged single leaf external door to basement room B01;

²⁰⁷ Altus Page Kirkland 2010:6-7; maintenance schedule for house prepared in consultation with Urbis updated in 2013 by Paul Davies Pty Ltd.

-
- spot repairs to walls and ceiling finishes (mostly undertaken during the preparation of the CMP);
 - inspecting the existing surface/subsoil drainage system;
 - cleaning and replacing existing connections between stormwater downpipes and pits, and if required upgrading stormwater connections from downpipes to drainage system; and
 - inspecting and repairing (if required) the existing lighting and electrical supply;
 - replacement of a number of timber verandah posts and adjacent structure, including roof elements, where posts have rotted and failed (mostly undertaken during the preparation of the CMP).

It is recommended that sandstone walls in the basement, that are obscured by timber panelling, be investigated (in addition to visible sandstone walls, floors and ceilings), as the panelling may conceal potential water damage. Bricked up vents in B10 should be investigated to ensure they allow adequate ventilation to the basement, and urgent conservation works undertaken if required. The intrusive services in B10, B11 and B12 should be investigated and works undertaken to ensure the long-term conservation of all areas of original sandstone. Other vents in the basement should be cleared of debris on a regular basis to ensure adequate ventilation.

When conservation works to repair damp issues have been undertaken, they should be monitored on a regular basis. It is recommended that after a year of monitoring (or minimum of six months), the sandstone walls, ceiling and flooring in the basement and external walls of the house be re-pointed with a lime based mortar.

5.4.4 Other Buildings

Some buildings were designed by Sorensen in the 1970s, such as the two sandstone sheds and open garage in the house garden (Landscape Area 1), referred to in this report as the gardeners' shed and vineyard shed. These elements are considered to be of little heritage significance.

Further buildings were added to Fernhill Estate in the 1980s, including: the Entertainment building in the house garden (LA1); the Manager's Residence and adjacent open garage, a pump house at the dammed lake north of the house, sandstone loose rubble boxes in paddocks, and workshop (now a ruin) (LA2); stables complex (LA4); and hay barn (LA5). These buildings are considered to be neutral as they do not contribute to the significance of the place, but they do not detract from it either, as they were designed with sympathetic materials and in non-intrusive locations.

General maintenance for the property should be undertaken on a regular basis to ensure the ongoing care for all buildings at Fernhill. Maintenance of items of exceptional, high and moderate significance should be a priority to ensure to retention and conservation of the place's significant fabric and overall heritage significance.

5.4.5 Walls, Fences, Bridges and Quarries

Fences are essential for rural uses at Fernhill and part of the history of the place. The current fencing on the property includes:

- the serpentine free stone wall flanking the entry drive and extending around various

-
- parts of the property (c1980s);
 - freestone retaining walls to terraces (c1980's);
 - early stone retaining walls (c 1840s);
 - timber post and rail paddock fences (c 1980s);
 - the timber race track fence (c1980s);
 - high wire enclosures to the area housing deer (c1980s); and
 - typical rural wire fences on steel and timber standards.

There is an early stone wall with distinctive banding of large and small coursed sandstone rubble with a peak top course that may be contemporary with the house that is located to the rear of the main house. This wall should be retained and conserved. When undertaking maintenance works to this wall, investigations into the construction methods may provide further details regarding its construction method and date. The fig tree colonising the wall should be removed.

The two ornamental stone bridges were original design elements of the Estate. Although the bridges have been partially rebuilt in the 1960s and again partially rebuilt in the 1980s, they should be retained and conserved as historic design elements that contribute to the picturesque landscape. The regrowth around these bridges should be removed or thinned to recover their historic setting and views to the driveway and the house.

The two quarry sites were used to source sandstone for construction of the stables, house and potentially other built elements on the Estate. These are historic elements that should be retained.

5.4.6 Access and Driveways

The southern driveway was one of several designed elements in Fernhill's 19th century landscape. It is a serpentine carriage drive approach to the house, which has exceptional significance. It is not known when the northern driveway was constructed, however it has been used as a secondary access to Fernhill Estate since at least the 1940s. The southern and northern driveways were previously dirt roads, however a bitumen surface was added to both in the 1980s. Other driveways were added north of the house in the 1970s providing access to the rear of the house and in the 1980s providing access to the manager's residence and open garage. The latter driveways are not part of the property's heritage significance, however they are not intrusive. Existing driveways and access points should be maintained, and if additional access tracks or roads are required in the future they should be part of a broad site masterplan that responds to the heritage values of the site.

Driveways should retain their rural low-key character and should not be upgraded.

5.4.7 Services and Infrastructure

Fernhill Estate is not connected to the Town's mains water or sewage supply. Water is pumped from the reservoir (tank) west of the house and from the northern dams to service the house and stables. Reticulated water is pumped from the dammed lake north of the house to irrigate the garden and grounds.

A septic tank system operates at the rear of the house installed by the previous owner. It has recently been cleaned but is likely to require maintenance or upgrade.

If the Estate requires connection to the Town's mains water and/or sewage services in the future, the location of pipes and other infrastructure should be assessed by a suitably qualified heritage consultant, so as not to adversely impact on the heritage significance of the place.

Should other services or infrastructure be required on the property, it should be located away from the house and preferably not within Landscape Area 4, so as not to impact on the setting of the house or house garden and significant views and vistas. Any new services or infrastructure, upgrading of existing services or infrastructure should be assessed by a suitably qualified heritage consultant.

5.4.8 New Buildings and Structures

If new buildings and structures are required at Fernhill to facilitate new uses, consideration should first be given to the adaptive reuse of existing non-intrusive elements. This does not preclude new buildings or elements being added to the site but ensures that the existing building stock is well-used prior to additional buildings being constructed.

A key to the consideration of any new elements on the estate is their location and siting. The Estate is large and is capable of accommodating various facilities. This has been demonstrated in the past with layers of farm buildings being built behind the house, many of which are now removed or redeveloped with other buildings. It is important that new elements are not considered in isolation or without the context of a masterplan for the site. A masterplan process allows broad consideration of potential impacts across the site and can guide decision making to achieve appropriate and best fit and location for any new elements.

Any new buildings and structures require approval under the Heritage Act and Environmental Planning and Assessment Act. Construction of future dwellings within any part of Fernhill Estate also needs to satisfy construction requirements of 'Australian Standard AS3959 - Construction of buildings in bushfire-prone areas'.²⁰⁸ Proposals for new buildings or structures should be assessed by suitably qualified heritage consultants.

5.4.9 Subdivision

Fernhill Estate now comprises a range of lots of which only three relate to the early land grant. The retention of the original holding is of great significance and rarity as most estates have been broken up, at least to some extent. The core historic area of Fernhill should not be further sub-divided. The exception may be the small portion of the property to the east that became isolated from the main holding when Mulgoa Road was realigned in 1949.

Ideally the land comprising the core holding of Fernhill should be consolidated into a single lot.

There is no particular constraint on the retention of lands outside the core state listed heritage site in relation to retaining heritage value. Most of the larger estate lands do not make any contribution to the direct heritage values of Fernhill, although it is noted that a number of adjoining lots have viewsheds across parts of the Fernhill property.

It is also observed that in the 2010 LEP that a number of adjoining lots were included as local heritage items for their visual contribution to Fernhill. These lots are separate and are

²⁰⁸ Conacher Travers 2003:14

presently capable of being excised from the property. There are no heritage constraints that directly relate to Fernhill in such an action.

The land in the eastern, northern and western precincts may be subject to future development proposals, particularly where such development facilitates the conservation of the core Estate and buildings. This would be a preferable outcome to undertaking development within key parts of the core estate.

5.5 Managing the Archaeological Resource and Aboriginal Heritage

Staff and contractors that work at Fernhill should understand that Aboriginal and historical archaeological objects, remains and places may be located within the curtilage of Fernhill. They need to be aware of the process when undertaking works that may impact upon known or potential archaeology, the likely type of relics that could be found and what to do when archaeological objects, remains and places are discovered during works.

Several guideline documents exist to guide the management of the State's archaeological resource, including:

- *Archaeological Assessment Guidelines* for historical archaeological sites and remains by NSW Department of Urban Affairs and Planning (1986);
- *Aboriginal Cultural Heritage Standards and Guidelines Kit* for Aboriginal archaeological objects and sites by NSW National Parks and Wildlife Service (1997); and
- *Assessing Significance for Historical Archaeological Sites and Relics* (2009).

Several archaeological reports have been undertaken at Fernhill or the greater Mulgoa Area including:²¹⁰

- Historical archaeological study of the Penrith LGA in 1986 by Wendy Thorp;
- Aboriginal archaeological study of the Penrith LGA in 1986 by Elizabeth Rich;
- Aboriginal archaeological study of portion of Fernhill Estate and other landholdings by Owston Nominees No. 2 Pty Ltd in 2006 and 2010 by Austral Archaeology; and
- Historical archaeological study of portion of Fernhill Estate and other landholdings by Owston Nominees No. 2 Pty Ltd in 2010 by Austral Archaeology.

5.5.1 Historical Archaeology

Archaeological potential is defined as:²¹¹

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).*

²¹⁰ Thorp 1986 and Rich 1986 in Fox and Associates 1987

²¹¹ Department of Urban Affairs and Planning 1996

Fernhill Estate has low archaeological potential associated with the use of the house and 1839 stables, however changes to the landscape around the house since the 1960s has disturbed these areas. A substantial amount of fill has also been placed to build up the garden around the house, therefore the likelihood of impacting on potential relics, such as the original carriage loop east of the house, is unlikely if undertaking basic garden maintenance or new plantings. The cesspit located under the extension of the south wing of the house in the 1980s has high archaeological potential, however the extent of disturbance is unknown. There is what is likely to be a stone drain running along the northern edge of the southern driveway, which is partly exposed that may require further investigation if undertaking future works to the driveway.

5.5.2 Aboriginal Archaeology

The Mulgoa Valley was intensively used by Aboriginal people for thousands of years prior to European contact in the early 1800s. Aboriginal people are noted in historical sources to have lived semi-traditional ways up to the 1840s in the area.

As part of the assessment of Fernhill's Aboriginal heritage values and archaeological potential by Austral Archaeology, consultation was undertaken with five Aboriginal community groups in 2006. Nine Aboriginal archaeological sites were discovered on sites adjoining Fernhill Estate. There is an open artefact scatter on Landscape Area 7 (eastern side of Mulgoa Road) and isolated Aboriginal site finds in the vicinity.²¹²

5.5.3 Assessment of Archaeological Impacts and Approvals

If proposing to undertake works at Fernhill that involve excavation or that may impact upon surface artefact sites the following process is recommended to assess the archaeological impact of the works:

- known historical or Aboriginal archaeological sites should be avoided when undertaking works;
- if there is a likelihood that historical relics (individual features or sites) in areas identified as having historical archaeological potential will be disturbed, the Heritage Branch of the Department of Planning should be consulted to assess the potential impact and requirement for exemptions or approvals under the Heritage Act; the existence of relics can be established by visibility, historical documents, findings in an archaeological assessment or discovery during excavation for another purpose; depending on the nature of potential relics and the potential impact, the services of a suitably qualified historical archaeologist may be required;
- if works are unlikely to disturb any areas of historical archaeological potential, then notification is not required to the Heritage Branch; however should any historical relics be discovered during the works, works must cease and archaeologists at the Heritage Branch must be notified, and/or the services of a suitably qualified historical archaeologist to assess the nature and significance of the relics; an exemption or permit may be required under Section 60 of the Heritage Act;
- permits may be required under Section 90 of the National Parks and Wildlife Act for the disturbance of known or discovered Aboriginal archaeological sites or objects; and

²¹² Austral 2010, Figure 3.2

-
- if known Aboriginal archaeological sites or objects are discovered, works must cease and the National Parks and Wildlife Service must be informed under Section 91 of the Act.

5.6 Managing Use

Fernhill Estate has been used largely as pastoral land since the 1840s and potentially earlier when the Cox family were living at Cox's Cottage from the 1810s, before the establishment of Fernhill, Winbourne and Glenmore Estates. Fencing, dams and other features on the property are essential for pastoral use of the land, however some elements may be considered to adversely impact on views and vistas (as discussed in Section 5.3.12). Prior to consideration of removal of any built elements, such as stone walls, timber fencing or dams, consideration should be given as to the ongoing viability of Fernhill Estate for pastoral and other uses so that such actions do not prevent pastoral uses to continue.

Fernhill Estate has historical uses including keeping deer, other game animals and birds in a small pleasure garden, and other farm animals such as horses, grazing, the chicken hatchery and several bird aviaries (1980s). Parts of the estate have been used for cropping and market gardening, orchards, a vineyard and a range of other rural uses. These uses are appropriate for a rural property. There have also been commercial uses such as a stoneyard and poultry farming during the 1960s and 70s that have added to the ability of the place to support itself.

A key component of the future viability of the property is the selection of potential uses that can sustain the place, culturally, in terms of its heritage value, and financially. A continuation of just rural uses may not achieve this, as important as those uses are to the character of the place. Any new use should facilitate conservation of the Estate. This can be achieved by establishing a sustainable financial model to fund the maintenance of the Estate and by increasing public awareness and access the property.

The future of Fernhill will largely depend on how successfully new uses can be integrated onto the site so that there is a strong financial basis to conserve and maintain the property. However the CMP:

- is not able to determine future uses but can consider the types of uses that may be appropriate in the future (the following discussion is not intended to be a list of exclusive uses).
- does not consider the current zoning and permissible uses in the following discussion as these are limited to rural activities.
- is not promoting specific uses but rather, sets out a range of uses that may be appropriate given the nature and character of the site.
- contemplates uses that are within the range of uses and activities that could be undertaken without undue impacts on heritage values.
- does not suggest any use contemplated will be approved or that any combination of uses or activities will be necessarily approved.

Any consideration for new uses should be based on ensuring that the heritage significance of the place is conserved. This will allow a filtering of possible uses. In the consideration of potential uses it will be important to assess the range of uses that may be proposed, the intensity of use, the scale of any use, the ability of the landscape and property to accommodate the use in both physical terms and the ability of the site to recover from some uses, the planning issues that may relate to some of the uses, the infrastructure that may be required for a use and whether it is temporary or permanent.

Any proposal for a new use of the property must be accompanied by a detailed outline and assessment of the use and a detailed heritage impact assessment. It is also important to note by preface to the following discussion that setting out a use or activity in this section of the CMP does not suggest it will be approved or that any combination of uses or activities will be necessarily approved, but rather that the uses discussed are within the range of uses and activities that could be undertaken without undue impacts on heritage values. The maps provided in relation to each use indicate the range of areas of the estate that could be used for each use type but do not suggest that all of each mapped area is appropriate.

Some of the uses that could be considered for the property are:

5.6.1 Agricultural Uses

The site is expansive and there is a desire to maintain the rural setting, using current paddocks and rural areas to continue rural uses is logical and appropriate.

These uses could include:

- agistment of horses or stock in existing paddocks and using existing facilities and potentially additional or new facilities
- maintenance of a small reserve for animals such as deer as has taken place in the past
- cropping of paddocks for feed
- other crop products
- more intense farm uses such as raising poultry or other small animals
- orchards as seen with the Pecan Grove on the northern driveway
- grape production
- timber production (long-term)
- BioBanking

These uses can take place in any of the established paddock or cleared areas of the estate, but are not able to be undertaken in areas set aside for BioBanking, the garden areas around the house or environmentally sensitive areas of the estate.

5.6.2 Equestrian Uses

The Cox properties have a long history of breeding bloodstock and on Fernhill that was extended by the Andersons with their stables complex, the construction of the racetrack and numerous paddocks and horseboxes. It is possible to expand the equestrian infrastructure on the site in carefully selected locations to provide additional facilities and to undertake a significant equestrian program without adversely impacting on heritage values.

Facilities that may be considered include:

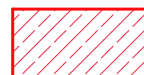
- additional stabling and service buildings
- areas developed for specific equestrian events and training including potential for visitor viewing areas
- additional paddock areas and loose boxes

These could take place:

- around the current stables complex with some potential to expand that facility
- around the race track but without any new permanent elements or structures
- in the area immediately west of the original stables and great hall buildings where there are paddocks and loose boxes
- around the area of the burnt out service and aviary buildings
- in parts of the southern paddocks near Littlefields Creek



Figure 298: Site plan showing areas of the site that could be used for farm activities apart from specific uses noted below. Paul Davies Pty Ltd 2013



Equestrian Uses

Figure 299: Detailed site plan showing areas of the site that could be used for equestrian activities. Paul Davies Pty Ltd 2013.



Figure 300: Site plan showing areas of the site that could be used for equestrian activities. Paul Davies Pty Ltd 2013.

5.6.3 Community Activities and Events

Fernhill is a large site that is capable of hosting community activities and events that allow public access and enjoyment of the place and could be income producing for the property.

In 2012 an endurance event was held on the estate over several days with up to 20,000 attendees and in 2013 a picnic race event was held successfully with an attendance of around 5,000-6,000 people. In 2014 a concert was held and several smaller events have also been trialled. Activities and events, both private and community, can potentially provide an income stream for the property (and the surrounding area) and provide public access to the site.

Potential events would fall into several broad groups:

- Small events based around the house, great hall and garden and possibly the hay shed. These could include weddings, small corporate events and community events. A small event could typically be between fifty and several hundred people. These events would have minimal infrastructure and would largely use existing buildings and facilities.
- Larger events that could include events such as the Picnic Races, concerts or community based events such as market days.

The key considerations in determining whether the number and the nature of events is appropriate are:

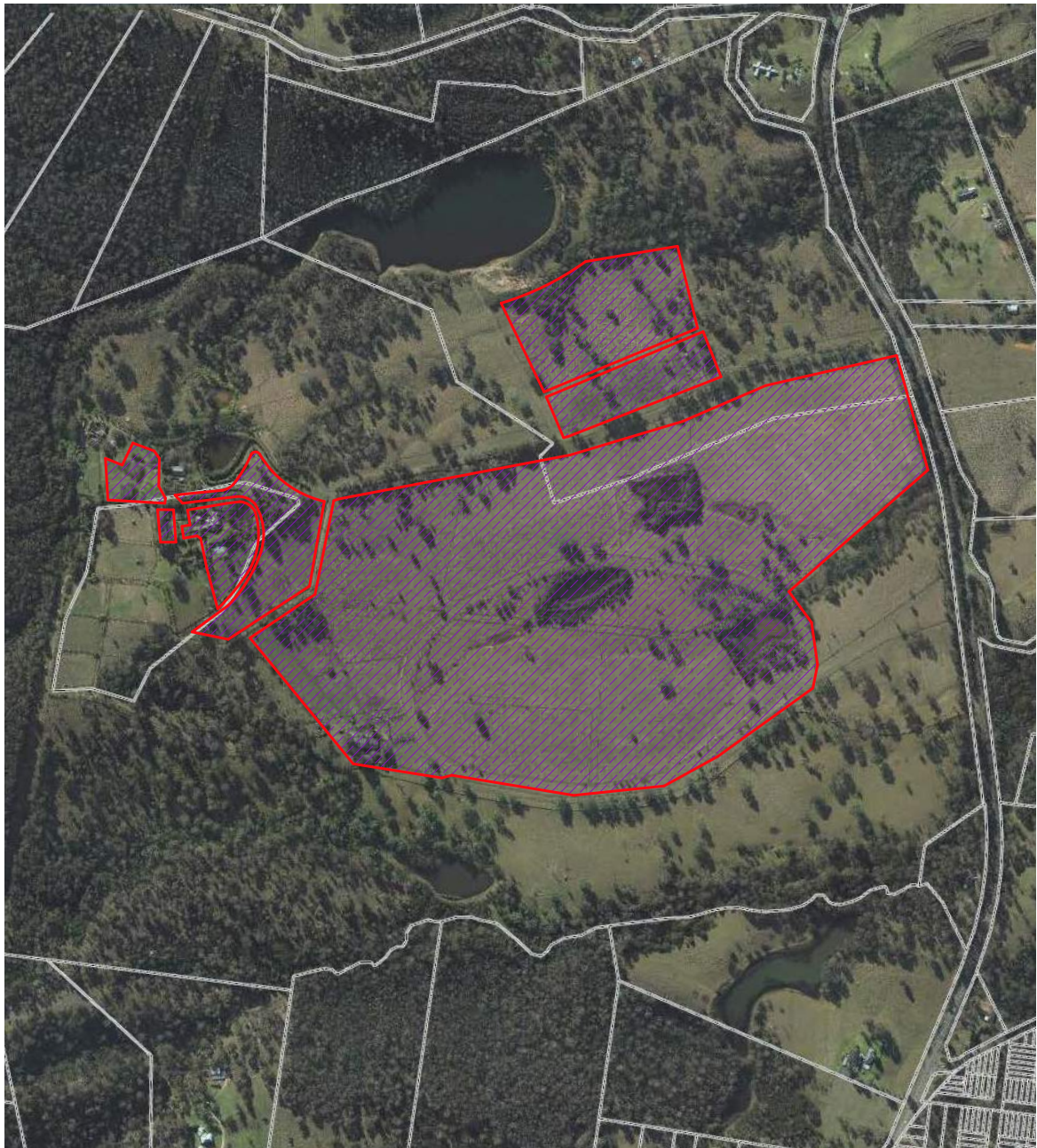
- The potential for physical impact on the place
- The potential for any cumulative impacts that may arise from the various events
- The number of events that may take place across a year
- The ability of the infrastructure of the estate to accommodate the use
- The impacts of any new infrastructure or construction that may be required for the use
- The potential impacts on the amenity of the locality.

There are extensive examples and experience of using large estates for event type uses in Britain and Europe. The success of many estates in being used as settings for events and their ability to manage them without adverse heritage impact suggests that Fernhill can accommodate an events use with suitable constraints and limits. Event use is often a preferred use for large country estates as events can be relatively short lived, allowing other uses to take place, and they can provide a connection to the community and income source for the property.

Any event use would need to also satisfy amenity, traffic and other planning considerations.



Figure 301: Site plan showing areas of the site that could be used for events activities. Paul Davies Pty Ltd 2013.



Event Uses

Figure 302: Site plan showing areas of the site that could be used for events activities. Paul Davies Pty Ltd 2013.

5.6.4 Support Activities

The Fernhill site is expansive and can accommodate support uses related to other uses. The establishment of support uses such. could be integrated into the site in locations that are outside the core heritage areas and which would have little or no impact on the character and heritage values of the place.



Figure 303: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.



Figure 304: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.

Again by way of example a small accommodation complex could provide support for equestrian activities that extend over several days by providing on-site accommodation or could be used to provide overnight accommodation for a weekend endurance event or a school group. However, the site should not be developed for uses such as accommodation as a stand-alone activity that is not directly related to other site uses and activities. In determining the suitability of infrastructure for support activities a masterplan needs to be

developed to identify the extent of facilities that could be accommodated without heritage impact, preferred locations for any new development and consideration of how this would be serviced and accessed. The over-riding consideration in placing any support activity on the site should be whether it fits comfortably into the rural character of the site and whether or not it can be provided without any noticeable visual or amenity impact.

It is also important to see support activities as ancillary, that is they must not dominate the use or management of the estate but rather facilitate other uses and remove pressure from heritage features of the place.

The most obvious areas for ancillary uses are:

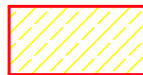
- The area west of the house complex around the area of burnt out service buildings and aviaries
- The area to the north of the hay shed precinct behind the pecan grove and out of sight of the driveway and central area
- The area to the north of the service area above the creek escarpment possibly extending to the east below the sight lines from the house and garden areas.
- The area around the stable complex, however this area has limited potential for further development.

5.6.5 Short-term Accommodation

There is potential to provide short-term accommodation in a number of locations around the estate that could support other uses and provide a supplementary income stream for the property. Accommodation could take a range of forms from provision for camping (as has taken place with recent events) to self-contained rooms to groups of rooms. Accommodation should be a support activity rather than a core activity of the site as set out in the discussion above.

Considerations related to providing short-term accommodation include:

- The form of accommodation to be provided in terms of standard of accommodation and the range of accommodation types that may be needed
- The scale of accommodation required to satisfy the particular need. For example it would be useful to be able to accommodate a typical school class to allow for educational use or the ability to accommodate an equestrian team. If accommodation is for more than a night or two there will need to be additional facilities such as lounge and possibly dining areas.
- The ability of an area to accommodate the use particularly in terms of service requirements such as provision of sewer, parking and access needs, the need for other related spaces to accommodation rooms
- If camping is developed as a use, the impact of camping on the area designated for the use and the methods of site recovery.
- Any impacts on the landscape from drainage, use, construction, etc.



Short-term Accommodation Uses

Figure 305: Site plan showing areas of the site that could be used for support activities. Paul Davies Pty Ltd 2013.

5.6.6 BioBanking

Fernhill has extensive areas of natural vegetation that have a value in their own right. There are opportunities for activities such as BioBanking and improving the quality of the natural environment. The key question is the balance between the natural and historic environment

and how to manage natural values as they impact on the heritage landscape. This is most obviously seen in the way the estate management has changed over its history where extensive clearing initially created the estate and formed the core landscape areas that are now of heritage value and more recent management has allowed revegetation to take place in areas of former view sheds losing some of the inherent heritage value that once existed.

There is no absolute solution to the balance between natural and cultural heritage values on an estate such as Fernhill, however, clear limits need to be placed on areas of natural vegetation to be protected so that they do not adversely impact on the core important cultural heritage values of the place.

A key example of this is the change in the landscape in the area between the reflection pool on the main driveway and the two stone bridges and the main house. Illustrations from the 1960 period show this as an open landscape with a clear planned form that provided very intentional views to the house and ornamental bridges as the visitor moved up the driveway with the sharp turn at the pond intended to direct the viewer to the fine landscape above with a glimpse of the house in the reflections on the pond. This has now been lost through a combination of changes to the garden landscape of the house but more importantly by the regrowth of the area between the pond and the bridges. This is an area that needs to be largely cleared maintaining a tree cover and parklike appearance to recover some of that intended and historically significant view.

Decisions related to BioBanking and natural vegetation management need to be made within the context of the historic values of the Fernhill Estate.



Figure 306: BioBanking areas on the eastern part of the Fernhill Estate. The areas shaded green are the areas that are currently subject to BioBanking agreements. The shading is an overlay of a GHD Plan marking the boundaries of BioBanking areas 2013.



Figure 307: BioBanking areas on the central part of the Fernhill Estate. The areas shaded green are the areas that are currently subject to BioBanking agreements. The shading is an overlay of a GHD Plan marking the boundaries of BioBanking areas 2013.

5.6.7 Use of the main house and core buildings

The current owners intend to live in the main house as their family home, which is possibly the best way to conserve the buildings. The house and its associated outbuildings are also capable of some public access either in relation to small events or as part of activities taking place on the site where parts of the house may be open for inspection. The ability to provide some public access, noting that the house is a private residence, is of great benefit in the community involvement, understanding and interpretation of the place.

The other buildings that are capable of potential uses are the great hall building to the west of the house, the hay shed building and some of the smaller outbuildings. The great hall and hay shed are likely to be the principle locations for any such uses as they are of a reasonable scale, are new buildings that do not have heritage constraints and are built to provide for such functions. Each of these buildings has a finite capacity based on the floor area and access arrangements. Where events are proposed around the house precinct, the great hall should be used as a preferred building with limited use of the house. Any use of the house is effectively limited to the ballroom as it can be accessed from the verandah, and the rest of the house is used as a residence. The basement areas can also be separately accessed and may be suitable for smaller functions or uses.

Linked to the house and core buildings are the immediate gardens and grounds. Much of the land around the house is open lawn that provides potential for outdoor uses in several separate locations. The adjacent former tennis court provides potential for a large flat area in relation to outdoor use that is close to toilets and separated from the house by a vine covered pergola.

An important issue in developing uses around the house precinct is to ensure that other uses do not overwhelm the use of the house as a residence.

5.6.8 Service Buildings and Services

The estate requires an infrastructure to maintain it and to house service vehicles, equipment

and materials. There are several locations on the site where this presently occurs and provision should be made in future development to provide for servicing and storage requirements so that these elements do not impact on core areas, views or vistas.



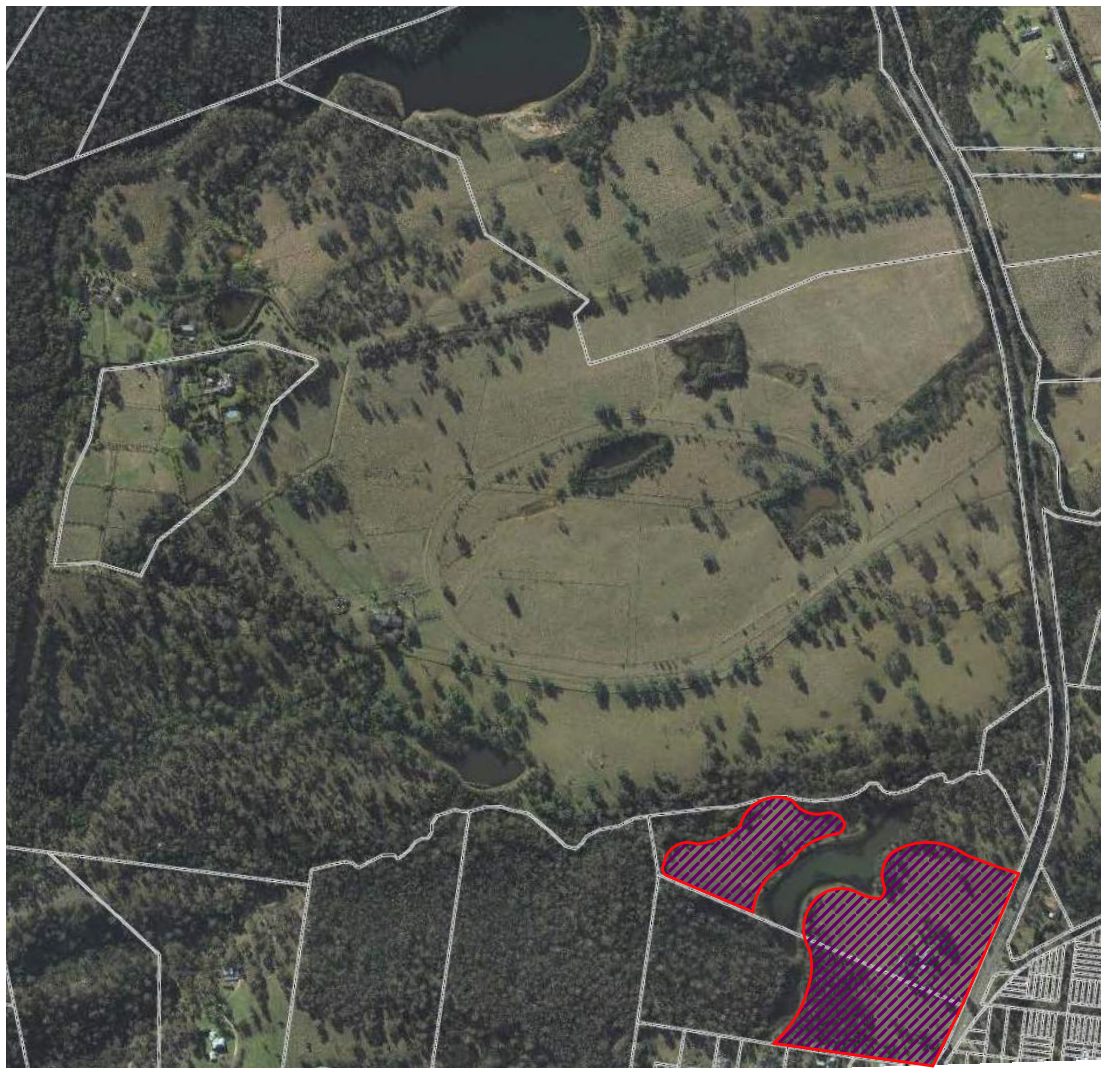
Service Uses

Figure 308: Site plan showing areas of the site that could be used for service activities. Paul Davies Pty Ltd 2013.

Preferred areas for service infrastructure are:

- The area to the west around the burnt out workshops and aviaries and the land adjoining that area. This area has good service access from the service driveway that is separate to the main entry drive and is out of sight of the main house and garden areas.
- Around the stables area.
- Around the hay shed.

The form and character of any new service buildings (that would be subject to a separate approval process) should be rural in character and scale.



Sub-division

Figure 309: Site plan showing areas of the site (not including the western precinct) that could contain some sub-division and development in the future. The areas are defined by the extent of open grassland in the eastern precinct and are not intended to be definitive areas but rather the areas in which sub-division could be considered. The intent of the diagram is to locate any future development outside the original grant lands and in an area that is connected to Mulgoa Road and Mulgoa Village. Paul Davies Pty Ltd 2013.

5.6.9 Sub-division and potential development of peripheral lands.

There are several locations within the broader Fernhill holding that are not directly affected by the heritage constraints of the original estate (as defined by the NSW Heritage Council listing) and where careful development could take place without impacting upon the heritage values of the core property.

There has been consideration over many years on the value of providing for development on non-significant or less-heritage significant land to allow the very significant core holding to be consolidated and protected from future sub-division or development. This is a key technique to conserve Fernhill. Any proposal would need negotiation and agreement with Penrith Council and the NSW Heritage Council. Allowing development on non-significant or less-significant parts of the estate to secure the core holding is a sound approach to heritage management and use of the property, that is, there would need to be a link between such potential development and conservation outcomes.

If development or sub-division is proposed other impacts need to be considered including:

- any impacts in relation to other heritage items that may adjoin or be in the vicinity of the proposal
- the scale of the proposed development
- the environmental constraints that affect large parts of the estate
- aboriginal archaeological assessments
- amenity to adjoining properties
- servicing requirements
- provision of roads and other infra-structure
- other planning requirements arising from LEP 2010

5.6.10 Establishment of a community support base for Fernhill

If a proposal to use the estate for new uses such as events is developed there would be benefit in establishing strong links into the local and broader community through a support network that could be similar to a 'Friends of' or a 'Foundation'.

Providing opportunities for the community to visit the site, to experience some of the activities that take place on the site and to be involved with the property through general and private events for supporters will allow higher community involvement and enjoyment of the property.

It is recommended that such a group be investigated as part of any future proposals for the place to ensure that there is a high level of ongoing public access and involvement in the estate.

5.6.11 Summary

The above discussion of uses does not intend to limit the uses that may be considered for the place but rather is provided to identify uses that could be appropriate in combination with appropriate conservation works to the estate, but still be subject to the necessary applications and approvals.

5.7 Interpretation

The interpretation of Fernhill is best undertaken in conjunction with the various uses that are developed for the site where specific aspects of the property can be explored. As many of the possible uses for the property relate to its history there are good opportunities to interpret aspects of the past along with the current uses.

Interpretation themes that could be considered include:

- The role of the Cox family in Mulgoa, the Blue Mountains and more broadly including references to the church and Cox's Cottage
- The development of the house and estate historically and in more recent years
- The bloodstock history of the site

Interpretation should be integrated with all future activities and uses.

There are numerous ways in which interpretation can take place. Fernhill is a large and complex site where the least preferred method of interpretation would be on site signage. Other ways in which interpretation can take place could include:

- Part of the Fernhill website is dedicated to its history and some of the stories and themes of the place. This could be developed over time with material being progressively added to maintain interest in the site.
- A short history of the site with a walking route around parts of the site explaining the features of the place that are accessible could be available for open days and some events.
- An App could be developed that is available to visitors of the estate that provides information on the estate as they move around it and in relation to specific events.
- Education programs for local schools can be undertaken that deal with both cultural and natural history of the site. This has the advantage of linking schools to the site for a range of cultural experiences.
- Publishing the history (or an edited version of it) as contained in the CMP of the estate and the area.
- Holding specific events related to the history of the property and areas particularly in relation to a Friends or similar group.

As the future of the site develops interpretation should be developed as a key part of the operation of the Estate.

5.8 Further Research and Investigations

Despite extensive research over a number of years there are many aspects of Fernhill's history that remain unclear or unknown. It is recommended that as new material becomes available about aspects of the property that it be retained and placed in an archive (possibly best held on the property). It is also desirable that as change takes place over time that it be recorded and that those records be retained.

One of the difficulties of understanding some of the works from the 1950s and 1960s is that there are limited records. There appear to be almost no drawings or records available for works done over the last 30 years.

Particular examples of further investigation could be:

-
- little is known about the winery building on the Estate, which is now a ruin following bushfire damage in 2000/2001. There may be an opportunity in the future to further investigate this structure. No building materials or any potential historic remains should be removed from this site, to aid future investigations.
 - There is an early stone wall with distinctive banding of large and small coursed sandstone rubble with a peak top course that may be contemporary with the house. This wall should be retained and conserved as it is of exceptional significance, and it should not be confused with the intrusive 1980s stone faced wall. When undertaking maintenance works to this wall, investigations into the construction methods may provide further details regarding its construction method and date.
 - Investigations of the roof space of Fernhill house may provide further details about original room configuration, the intent for constructing the house with a second floor and original and later roofing materials.
 - The quarry sites may reveal information about the property.

6 Conservation Policies

This Section provides conservation policies to assist the property owner to manage Fernhill's diverse values and historic fabric. A conservation policy explains the principles to be followed to retain a place's heritage significance and how that significance can be enhanced when undertaking conservation and maintenance works or proposing change to the place.

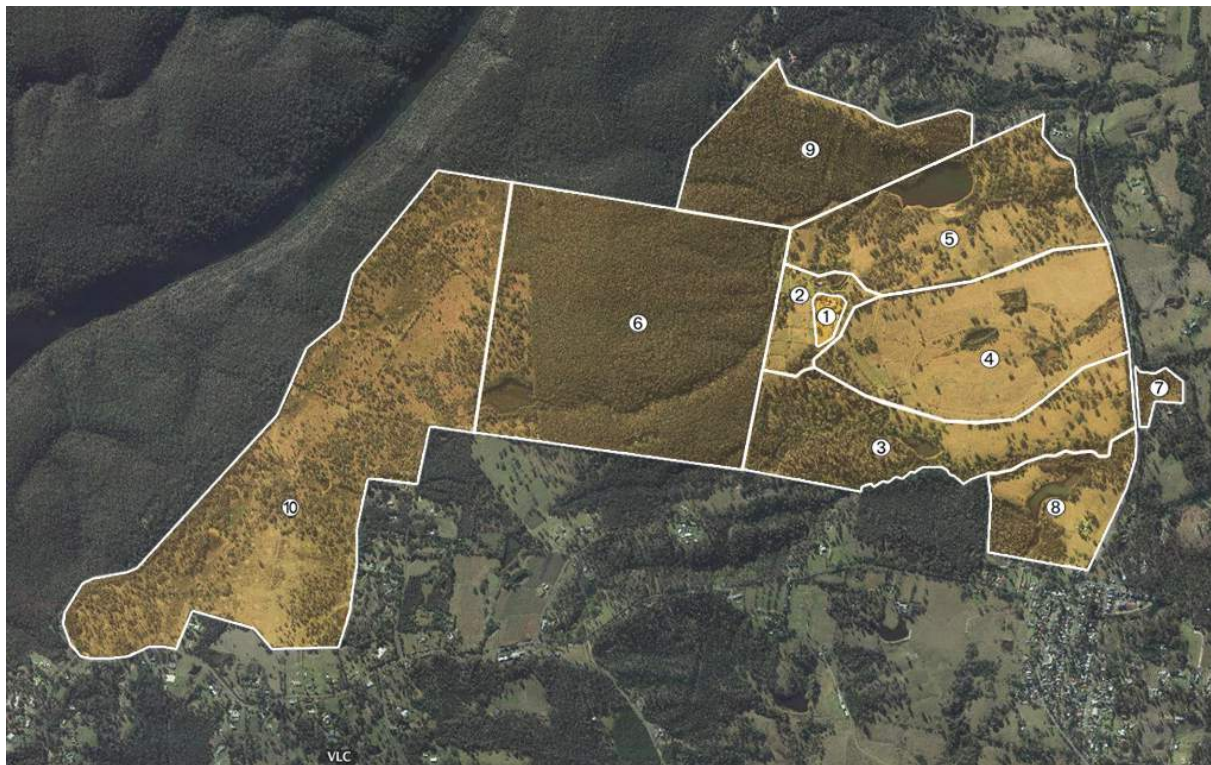


Figure 310: Fernhill's landscape precincts:

- 1: house garden;
- 2: west and north of house garden;
- 3: south of southern driveway;
- 4: east of house;
- 5: north of house and northern driveway;
- 6: western portion of Fernhill Estate;
- 7: eastern portion of Fernhill Estate;
- 8: southern lots on Mulgoa Road (Precinct 4 in the 1995 CMP);
- 9: northern lots fronting Mayfair Road (Precinct 1 in the 1995 CMP); and
- 10: western land fronting Fairlight Road (Precinct 3 in the 1995 CMP).

The following table cross references the various policies by subject matter to assist in following the various policy areas.

Table 9: Policy Cross-references

Item	Policies
Approvals and Permits	2, 13, 71, 110, 115, 117, 121, 122, 123, 131, 132
Archaeology	115, 119, 120, 121, 122, 123, 124, 125, 126, 127
BioBanking	15, 40, 58, 59, 61, 69, 70, 71, 72, 146, 147, 148
Built elements within the garden area	49, 51, 52, 107
Bushfire	117, 118
CMP	8,
Compliance	1,3, 5, 6, 7, 18, 52, 71, 81, 121, 122, 123, 124, 131, 132
Conservation of the Natural Environment	14, 15, 16, 17, 37, 58, 59, 60, 61, 68, 69, 70, 71, 115, 137, 146, 147, 148
Cultural landscape management general	22, 23, 28, 33, 37, 38, 39, 41, 42, 44, 45, 49, 50, 52, 53, 54, 56, 61, 62, 63, 65, 67, 70, 72, 73, 74, 75, 76, 77, 96, 97, 99, 105, 107, 108, 109, 115, 133, 147
Dams and watercourses	20, 21, 61, 63, 65, 67
Entry drive	22, 23, 62, 65, 76, 77, 96, 99
Equestrian Uses	138
Equitable Access	52, 111
Event Uses	139, 158
Fairlight	116
Fencing	34, 35, 51, 52, 59, 60, 65, 75
Fernhill House	78, 79, 80, 81, 82, 84, 85, 90, 91, 92, 93, 94, 149, 150, 151, 152, 153, 154, 155
Gardens	44, 45, 49, 50, 51, 52, 107, 152
Hay Shed	67
Infrastructure	100, 101, 102, 105, 109, 113, 115, 139, 142, 153
Interpretation	157, 158
Maintenance Works	4, 9, 10, 12, 46, 49, 52, 54, 64, 65, 82, 83, 85, 86, 88, 90, 94, 95
Masterplan	104, 107, 142
Mulgoa Road	106
New Uses/managing uses	28, 53, 54, 55, 56, 57, 65, 71, 91, 103, 104, 106, 107, 114, 115, 128, 129, 130, 131, 132, 133, 136, 139, 141, 142, 143, 144, 145, 157
New Works	26, 28, 53, 56, 57, 62, 67, 71, 79, 80, 87, 91, 92, 103, 104, 105, 106, 107, 153, 154
Open Paddocks	26, 56, 57, 59, 60, 61, 65, 67, 138
Personnel Requirements	8, 9, 10, 11, 48, 110, 121, 127, 129
Power Lines and easement	54
Public Access	140, 150, 151, 152, 156
Quarry sites	31
Race Track	25, 63, 64, 138
Reflecting pond	22, 63, 75
Replanting of trees and other plantings	23, 38, 39, 52, 65, 95

Item	Policies
Further Research	159, 160, 161
Roads and entrances	32, 67, 97, 98
Rural Uses	37, 59, 60, 134, 135, 136, 137
Service drive	67, 97
Signs	112
Sorenson Garden Elements	36, 47, 51, 52, 107
St Thomas Church	72
Stables complex	64, 65, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 94, 106, 138
Stone bridges	22, 29, 30, 63, 67
Stone fencing	24, 51, 56, 75, 95
Sub-division	114, 115, 116
Swimming Pool	51, 52
Tennis Court	107
Termites	46
Views and vistas	22, 27, 40, 42, 51, 56, 57, 62, 65, 71, 72, 73, 74, 75, 76, 77, 107, 112, 116

For clarity, the precinct plan for the Estate is repeated below as many of the policies refer to specific precincts.

6.1 Compliance with Statutory Controls and Guidelines

*The management and maintenance of Fernhill must be undertaken to comply with applicable legislation, plans and policies, including those noted in Section 5.*²¹³

Policy 1. All works²¹⁴ to the place must comply with relevant codes and legislation.

Policy 2. Approvals and permits are required to undertake most works at Fernhill. Standard exemptions apply to the site for basic repair and maintenance. Site specific exemptions may also apply for some works however agreement from the NSW Heritage Division is required prior to undertaking those works. The policies set out in this CMP are not subject to standard exemption 6 unless a site specific exemption for the particular policy has been granted by the NSW Heritage Division.

The IDA process is recommended for approvals required under both the Local Government and the Heritage Acts. Approvals must be obtained prior to undertaking works, through Penrith Council, the NSW Heritage Council and various State government authorities that may have jurisdiction over the site.

Policy 3. Fernhill must, as a basic requirement, be maintained and conserved to meet the minimum standards of maintenance and repair under Section 118 of the NSW Heritage Act in relation to protection from weathering, damage or destruction by fire and security threats.

²¹³ Refer to Appendix A for definitions of 'Conservation', 'Maintenance' and 'Repair'.

²¹⁴ 'Works' in this context refers to any activity or action that requires consent either from Penrith Council or the NSW Heritage Council. While some 'works' may be able to be undertaken as exempt works, such as routine maintenance, the policy requires that all work undertaken has to comply with appropriate and relevant codes and legislation whether an application for work is made or not.

-
- Policy 4. Fernhill should, as outlined and required in this CMP, be maintained and conserved to a high level to ensure that its heritage values are retained and not compromised.
- Policy 5. Any strategies or solutions to ensure that components of Fernhill comply with the BCA should be based on the cultural significance of the place.
- Policy 6. Where necessary, alternative solutions and performance based outcomes should be pursued to ensure the intent of the code is met without adversely impacting on significant fabric. Should conflicts arise between compliance and cultural significance the Heritage Council of NSW is able to provide advice and assistance in seeking appropriate compliance solutions through its Fire and Services Advisory Panel.
- Policy 7. Works should be carried out in accordance with the principles set out in the Australia ICOMOS Burra Charter, such as repairing significant fabric in-situ and only replacing significant fabric when it cannot be suitably repaired.
- Policy 8. Staff and contractors working at Fernhill should understand the overall significance of the place, what the significant fabric is, and how this should be conserved and maintained to retain the place's heritage significance. A copy of this CMP (and updated versions) should be kept at the property for reference when planning and undertaking works.
- Policy 9. It is recommended that an easy to refer to guide is prepared for persons doing maintenance and conservation works to the place, to guide them on where professional advice may be sought.
- Policy 10. 'Maintenance' works, being the continuous protective care of the fabric and setting of a place (as distinguished from 'Repair') at Fernhill, should be undertaken by persons having an awareness and understanding of the heritage significance of the place.
- Policy 11. Conservation works at Fernhill should be undertaken by suitably qualified persons to ensure long-term conservation of the place's heritage fabric and overall values.
- Policy 12. The Maintenance Schedule attached to this CMP (Appendix C) as amended and reviewed from time to time is to be complied with.
- Policy 13. This conservation management plan should be updated within 10 years or if a major change is proposed that is not addressed within the existing policies of the CMP to remain relevant to ongoing change and use of the property, and various statutory controls and guidelines.

6.2 Conserving the Natural Environment

The following policies are aimed at conserving the natural environment at Fernhill. This includes landforms, water courses and native flora and fauna. Requirements for reinstating riparian corridors along Littlefields Creek, as mentioned in Penrith LEP 2010 (Flora and Fauna Conservation), have also been taken into consideration. Maintenance of extant dams on the Estate should aim to prevent erosion and degradation.

- Policy 14. The historic natural landforms of Fernhill Estate should be conserved to ensure that the overall significance of the place is maintained. This includes the hill where the house is sited, the gently undulating hills throughout the property, and the various tributary creeks through the property. This policy excludes the

areas of the house garden (Landscape Area 1) that were built up in the 1960s and 70s.

- Policy 15. Conservation and management of the significant areas of natural environment on Fernhill Estate should be undertaken. This could be achieved through a variety of means, such as BioBanking and conservation conveyances. Works should not go ahead without consulting a suitably qualified Ecologist.
- Policy 16. Significant remnant native vegetation on Fernhill Estate should as an overall principle be retained and conserved. However, there needs to be careful consideration of the place's heritage significance in managing the landscape as the placement of native trees and a range of views and vistas are core heritage values of the place. There may be a need to selectively remove or thin areas of vegetation to recover some of the historic character of the landscape and to carefully define the edges between natural and modified landscapes.
- Policy 17. Priority should be given to the conservation and maintenance of endangered ecological communities. Ecological communities should be maintained to discourage weeds and to encourage natural regeneration once threats, such as weeds, grazing and mowing/slashing, are controlled.
- Policy 18. Noxious weeds throughout Fernhill Estate should be removed to comply with control measures in the Noxious Weeds Act and with guidance from the local council, with priority given to areas of good condition remnant native vegetation, such as Landscape Area 6.
- Policy 19. Species such as Monterey Pines, that have been introduced, should be progressively removed to prevent seeding in bushland areas.
- Policy 20. Consideration should be given to the role of the dams in the improvement of water quality and natural flow regimes within the property, the downstream catchment and connectivity along Littlefields Creek. This policy excludes the original reflecting pond along the southern driveway and the 1980s reflecting pond directly east of the house.
- Policy 21. Water bodies that contribute to the place's heritage significance should be retained and conserved and where appropriate recovered to their early form

6.3 Managing the Cultural Landscape

The following policies are to conserve Fernhill's cultural landscape, specifically those elements that contribute to its heritage significance, such as its picturesque landscape character, various cultural plantings and significant views and vistas. Changes to the landscape that are not of heritage significance or that are intrusive, should be considered for removal or future change.

6.3.1 Character and Integrity

- Policy 22. Elements that form Fernhill's significant historic 'English' landscape design should be retained and conserved, such as the serpentine carriage drive approach to the house (southern driveway), the reflecting pond along the southern driveway, the stone bridges and picturesque views and vistas to Mulgoa Valley and throughout the property.
- Policy 23. The remnant apple trees along the current and former southern driveway should

be conserved to understand the original carriage approach to the house. Consideration should be given to replanting the southern driveway with the same species when the existing trees reach the end of their natural life, and replanting missing apple trees along the length of the southern driveway (including the original alignment at the eastern end as a form of interpretation).

- Policy 24. The c1980s stone fencing that flanks the main driveway and extends around various paddocks, while not of high heritage significance, should be retained as a new cultural layer on the site that has visual value. However, modifications to parts of the wall may be made to reinstate views and vistas in key areas.
- Policy 25. The c1980s race track should be retained on the site as a new layer in the landscape. The track should remain in character as a rural race track without additional infrastructure.
- Policy 26. The open form of the central part of the landscape (Precinct 4) should be retained as open paddocks with scattered trees and groups of trees. No development or works should take place that change the open character of this part of the landscape.
- Policy 27. Tree growth around the lakes should be thinned to recover more open views through the precinct.
- Policy 28. Overall the Estate should be retained as a rural estate in character. If new uses or activities are proposed they must be introduced in ways that do not affect the overall rural character of the place. This will mean locating any new elements, infrastructure or services discretely, in nominated areas and away from the key landscape areas of the place.
- Policy 29. The two ornamental stone bridges were original ornamental design elements of the Estate. Although the bridges have been partially rebuilt in the 1960s and again partially rebuilt in the 1980s, they should be retained and conserved as historic design elements that contribute to the picturesque landscape. (refer also to policies 70, 71)
- Policy 30. Should traffic volumes increase significantly across the bridges, even though they have been rebuilt with concrete sub-structures, engineering advice may be required to ensure there is no long-term stability issues that need to be addressed. It would appear that the bridges are sound and capable of use.
- Policy 31. The two quarry sites were used to source sandstone for construction of the stables, house and potentially other built elements on the Estate. These are historic elements that should be retained.
- Policy 32. Driveways and access points should be maintained as rural scaled entrances, and if additional access points or roads are required in the future they should be part of a site masterplan that responds to the heritage values of the site and the access needs of the site.
- Policy 33. Elements that were originally part of Fernhill's significant colonial landscape design that have been removed or changed throughout the 20th century, may be considered for reinstatement or recovery. These elements are identified in the assessment of significance as being of high significance and dating from the early development of the site.
- Policy 34. Where possible visually intrusive fencing should be minimised across the landscape. New fencing should be carefully located for both function and visual

considerations.

- Policy 35. Fence types should be limited to the current use of post and rail fencing, post and wire fencing and the existing areas of stone fencing (c1980s). None of these fence types are of high heritage significance and can be modified.
- Policy 36. The structure of the design of the house garden by Paul Sorensen in the 1960s and 70s (Landscape Area 1), noted as having moderate heritage significance, may be retained or may be capable of adaptation, noting that elements of the Sorensen garden have been altered over the last 30 years.
- Policy 37. The different types of landscape within the Estate should be managed for their particular cultural values. That is there needs to be a landscape management that retains the variations in the landscape that give it significance. Apart from the gardens around the house, the landscape falls into two principal areas of cleared and revegetated land. The cleared land has had a range of rural uses and should continue to provide for rural use including the present use of paddocks for stock. Areas for activities such as orchards and market gardens are appropriate provided that the central grassed landscape is retained in its grassed open form.

6.3.2 Cultural Plantings

- Policy 38. The significant historic exotic plantings in the house garden, such as the various pines (Stone, Bunya and Hoop), should be retained and conserved. If these plantings need to be removed at the end of their natural life, consideration should be given to replanting in the house garden (Landscape Area 1) with the same species or other appropriate exotic species.
- Policy 39. Plantings of moderate significance throughout Fernhill Estate should generally be maintained and conserved. At the end of their natural life the same species or others that compliment the design intent of the grounds can be considered for replanting. Replanting should not adversely impact on significant views and vistas.
- Policy 40. Where plantings of moderate significance impact on views and vistas they may be considered for selective removal to recover other heritage values. This may need to be undertaken in conjunction with BioBanking maintenance if the area is subject to a BioBanking agreement. It is noted that the main opportunities to open up former vistas and views exists through the eastern precinct looking towards Mulgoa Road, between the reflection pond and the house and bridges and to the north of the house where very dense planting dominates the area around the upper dam. The views that once existed between the house and St Thomas Church cannot be recovered due to:
- BioBanking agreements over part of the Fernhill land within that viewshed
 - Protected planting on the St Thomas site within the viewshed
 - The road works and embankments to create the Mulgoa Road diversion and the now dense associated roadside plantings that obscure views into the adjoining properties
 - The now mature driveway plantings at Fernhill which are of high significance.
- Policy 41. Plantings of little significance or that are neutral, such as the grove of Willow trees along the access road north of northern dammed lake near the
-

Manager's Residence (1980s), or the hedgerows along the northern driveway may be removed and not necessarily replanted with the same species or in the same locations. In areas that are significant for their landscape value apart from the plantings, consideration should be given to replanting with other species that compliment the earlier design intent of the grounds. As the grounds are generally heavily overplanted a strategy to have fewer plantings is encouraged to reinstate significant views and vistas and to create a generally more open landscape setting.

- Policy 42. Intrusive plantings throughout Fernhill Estate should be considered for removal or part removal to improve the integrity of the grounds. This may reinstate significant views and vistas and create a more open landscape setting within the original design intent for the landscape. An overall proposal for removal of planting should be prepared for approval prior to any such works taking place.
- Policy 43. Monterey Pines (*Pinus radiata*) should be removed from the site as an inappropriate planting.
- Policy 44. Existing garden beds may be replanted according to contemporary taste, whilst having regard to the intent of the original structure and layout of the house garden (Landscape Area 1).
- Policy 45. Intensification of plantings and further garden beds around the house are not encouraged and if changes to the gardens are proposed they should have regard to the statement of heritage significance for the place.
- Policy 46. Undertake termite treatment of affected trees around the house and if required remove trees that present a danger to the house either through termite activity or proximity.
- Policy 47. The Sorensen garden elements and later modifications may be retained, or have potential for future modification (or removal) where other, possibly more important aspects of the significance of the site would be recovered. However, the Sorensen garden layout, which is the major garden layer around the house, even though not of high significance, presents a coherent and generally consistent approach to the setting of the house and if changes to the landscape are proposed they need to be carefully considered so that the landscape setting of the house is not compromised.
- Policy 48. If landscape works are proposed around the house, obtain specialised landscape advice from an experienced heritage landscape consultant.
- Policy 49. Urgent garden maintenance works have been carried out in early 2013 to recover areas of the garden and to make safe some structures. Ongoing and longer-term maintenance works are required, this will include inspections and repairs (where required), routine mowing and gardening and pruning and repairs to garden elements such as pergolas, stairs, pavements, retaining walls, balustrades and the water reservoir structure (west of house).

6.3.3 Managing the Cultural Landscape setting of Fernhill

Precinct 1 – The House Garden

- Policy 50. The house garden should be retained as a garden setting with expansive lawns around the house.

Policy 51. Some elements of the garden setting may be altered or changed in the future provided that the significant aspects of the setting are retained. Desirable changes to the setting could include:

- Opening up the garden to recover aspect and outlook to and from the house
- Consideration of opening up areas of solid fencing around the edge of the garden to allow views back to the house from the entry drive
- Consideration of adjusting levels within the garden to recover aspects of the earlier landform
- Consideration of removing the tea house and bridge structures on the island as out of character with both the colonial and Sorensen landscapes.
- Consideration of thinning areas of the planted landscape where there is overplanting.
- Consideration of removing some of the planting introduced from the 1960s that has changed the character of the area.

Policy 52. Key considerations in managing this area in the future include:

- Consideration of some rationalisation of garden elements where they are of low or no significance
- General maintenance of pergolas, built items and garden features to maintain them in sound condition
- Compliance in relation to the swimming pool and the need to provide a fence around it
- Requirements for equitable access around the house and into the house should any public use be proposed
- The poor condition of the concrete balustrading to the terrace and the need to replace it
- Maintenance of paths to remove trip hazards and the like and to provide safe access, consider rationalising or removing some paths of low or no significance where not required.
- Retain all of the early ornamental plantings or replant with matching species
- Reinstatement of important but now missing cultural plantings such as bunya pines

Precinct 2 – North and North-west of the House Garden

Policy 53. This precinct offers potential for re-establishment and development for a range of uses as large areas have been modified for farm and commercial use. The area to the west that contains the remains of the burnt-out buildings offers potential for new elements to be discretely added. This precinct has the greatest potential for use and development within the original Fernhill Estate lands.

Policy 54. Key considerations in managing this area in the future include:

- The open lawn area with tree plantings to the west should be generally retained as a screen to the service areas beyond, noting that the area is not of particular significance in its own right.
- The need to conserve the former winery building, and either stabilise it or possibly adapt it and provide a suitable setting for it.
- The potential to use the horse paddocks for other equestrian uses.

-
- Limits on development under the power lines and within that easement.
 - The potential to use the immediate land to the north of the access road in conjunction with works in this area.
 - Limits from the current uses for sewerage treatment etc.

Policy 55. Overall this area should be managed as gardens and lawn to provide a setting around the buildings and as a service zone or area for possible development to the west.

Precinct 3 – South of the Southern Driveway

Policy 56. This area comprises paddocks and regrowth along the creek alignment and along the western part of the entry drive. The area should be retained as paddocks separated from the driveway by the serpentine stone wall. It may be possible to locate some farm buildings in the area to serve rural uses but they should be sited well away from the driveway and out of main views and vistas.

Policy 57. There is some potential to extend uses that relate to the stables into this zone but visual setting and the need to retain the rural character should not be compromised.

Policy 58. Areas of regrowth designated BioBanking and will be managed for that purpose.

Policy 59. The edge between paddocks and regrowth or BioBanking areas needs to be carefully located and fenced to maintain the more important rural form of the property.

Policy 60. Edge fencing types must relate to the rural character of the property and are to follow existing established paddock edges.

Policy 61. Access to the creek and dams is required as part of the use of the paddocks for farm activity and BioBanking must be adjusted to ensure that access to water is available.

Policy 62. Any new structures within this precinct are to be located (should they be required) to minimise any visual impact on the viewshed of the entry drive so that the driveway is maintained within a rural setting.

Precinct 4 – East of the House

Policy 63. This is the central and core part of the rural setting of Fernhill. It retains its open form but has the addition of the race track, the reflecting pond, various dams, the rebuilt stone bridges and the stables complex. While the character has changed over time it still retains the key rural setting for the house that overlooks the landscape.

Policy 64. The racetrack is an integral part of the operation and future of Fernhill and is to be retained as an operating licensed racetrack. It is closely linked to the stables complex and to horse training. Presently, an annual picnic race event is held. The race track is to be managed to allow its ongoing use, maintain it in good condition and to reduce its visual impact (noting that many edge planted pine trees have been removed to assist in this) within the broad landscape. Works such as painting railings neutral colours and maintaining the generally low-key character of the track and its fencing (noting the need to comply with Racing NSW requirements for safety) are to be undertaken.

Policy 65. Key considerations in managing this area in the future include:

- Retaining the area as an open landscape without additional buildings or structures.
- Managing the paddock areas to retain their rural use
- Managing fences to prevent further visual sub-division of the landscape
- Managing modifications to the stables area to minimise any visual impacts from potential new development or expansion.
- Managing the dams and plantings to recreate a more open form to the landscape with small clumps of trees rather than broad bands of trees
- Managing uses so that they do not impact on the rural character to reinstate missing and senescent trees.
- Conserving the tree lined entry drives with a staged maintenance and re-planting program.
- Fence off and protect regenerating Eucalypt and Angophora trees from stock grazing or other impacts.

Precinct 5 – North of House and Northern Driveway

Policy 66. This area comprises paddocks, an orchard, dams and areas of revegetation. It also contains the hayshed. The topography generally falls away from the central area and the open grasslands provide part of the edge visual setting to the core precinct.

Policy 67. Key considerations in managing this area in the future include:

- Retaining the open pastoral form of the landscape, particularly as viewed from the entry driveway.
- Retaining the driveway as a rural drive without upgrade or enhancement.
- Focussing any new uses requiring buildings on the hay shed area or possibly near the edge of the lake but out of viewlines from the entry driveway.
- Managing the pecan grove and potentially other similar uses in that general vicinity.
- Managing the dam, its edges and spillway.
- Keeping any proposed development low and modest in scale to fit into the rural character of the setting and out of vistas and views from the entry driveway.
- Adding farm buildings that may be required to service the farm activities that may take place.
- A new but secondary site entry could be located in this area if required.

Precinct 6 – Western Hill area behind the House

Policy 68. The area should be managed for natural values with some potential to add minor development onto the western edge of the area.

Precinct 7 – Eastern Portion of the Estate

Policy 69. This is the small remnant section of the estate separated by the diversion of Mulgoa Road, it should be managed for its natural values. It is also subject to BioBanking agreements.

Precincts 8, 9 and 10 – The Extended Estate

Policy 70. The extended estate has local heritage listing on the northern and southern sections and is not heritage listed in the western area. Areas across the whole estate are subject to both LEP environmental zoning overlays and BioBanking agreements that limit use, development and pastoral activities.

Policy 71. Key considerations in managing these areas in the future include:

- The northern precinct is sub-divided into residential lots each with a small area of land on each lot, under LEP 2010, that can accommodate a dwelling (subject to consent). Ideally, this land should be retained with Fernhill and not developed for housing, however, if the lots were to be sold they would be subject to the LEP provisions, which include heritage listing. Most of this land cannot be used as part of the rural use of Fernhill due to the LEP environmental zoning overlays and BioBanking Agreements.
- The western land that is not subject to environmental protection is capable of development under Penrith LEP 2010. Assessment considerations including the relationship to the State heritage listed Fairlight need to be considered. This land cannot be easily be used as part of the rural uses of Fernhill due to the LEP environmental zoning overlays.
- The South-eastern land is also capable of some form of development in addition to rural uses. The scale of development, its siting, its relationship to Mulgoa township and Mulgoa Road and potential views across the land would need to be considered in proposing development other than rural uses. There are also two residences in this area that can be retained or adaptively re-used as required.

6.3.4 Views and Vistas

Policy 72. There is some opportunity for reinstating views within the property and vistas from Fernhill Estate to its picturesque landscape including the Mulgoa Valley and St Thomas' Church however revegetation on Fernhill and adjacent properties and changes to the landscape of Fernhill are likely to make the recovery of historic views difficult to achieve. As much of the regrowth vegetation is also 'significant' and forms part of the present character of Fernhill that is now protected by zoning and BioBanking agreements, it is not considered appropriate or possible to remove large areas of vegetation in protected areas to reinstate view corridors. However, selected vegetation removal should be considered across the Estate to recover former significant views. The most obvious location to recover aspects of the open estate are in the central precinct where removal of planting around the central dams and recovering more of the park-like tree planting could be achieved.

Policy 73. There may be some opportunities to reinstate lost significant views and vistas in future works in other areas. For example trees and hedges planted in the 1980s north and east of the house could be considered for removal or part removal, or

not replaced at the end of their natural life.

- Policy 74. The landscape should be managed in the future to ensure that further views and vistas are not impacted by regrowth or ill-considered changes to the property.
- Policy 75. The reflecting pond along the southern driveway, which is an original design element, should be retained and conserved, and views from this pond to the house should be reinstated as much as possible. This may include removal of some trees and the understorey regrowth between the pond and the house and the pond and the two stone bridges, which is in-keeping with the original landscape design intent for the property, and replacement of the fence and extended retaining wall around the pond with less intrusive elements.
- Policy 76. Areas of revegetation on the Fernhill Estate, such as along the alignment of Mulgoa Road (in LA3, LA4 and LA5), along Littlefields Creek (in LA3) and on the eastern side of Mulgoa Road (LA7), should not be cleared to reinstate historic views and vistas to and from Fernhill. These areas provide a natural view buffer for the property when viewing the grounds from the house, and they include species that form the critically endangered Cumberland Plain Woodland ecological community.
- Policy 77. The early drive alignment that extended across Mulgoa Road linking the Cottage and Fernhill, which remains in remnant form but is now unused, should be interpreted by management of the immediate landscape setting along the edge of Mulgoa Road, by maintaining the former road area as open grassland and by maintaining the flanking remaining trees.

6.4 Managing the Built Environment

The following policies are aimed at managing components of the built environment at Fernhill Estate, including original buildings house (1842) and stables (1839), other buildings, walls, fences, bridges, quarries, driveways, services and infrastructure, and guidance for new buildings and development, subdivision and bushfire management.

6.4.1 House (1842) and Stables (1839)

- Policy 78. The exterior built form, remaining original room configurations and remaining original fabric of the house (1842) and stables (1839) should be retained and conserved. This includes original fabric, such as window and door joinery and form, internal and external window shutters, chimneypieces, wall niches, decorative architraves and cornices, roof and ceiling timber beams and remnant timber shingles, sandstone walls, and sandstone columns on southern verandah.
- Policy 79. Alterations and additions within the house (1842) and stables (1839) should be limited to rooms or components of moderate or little significance, or that are neutral or intrusive. Any proposed changes within these buildings or to the exterior façade should be assessed by a suitably qualified heritage consultant.
- Policy 80. Elements of exceptional and high significance should be retained and conserved. Changes in these areas should not impact on significant fabric or original room configurations. Where known forms of original rooms are recoverable, changes may be made to recover that form.
- Policy 81. Fire safety equipment should be installed and maintained on a regular basis

throughout appropriate locations in the house (1842) and stables (1839).

- Policy 82. Deteriorating components of the house (1842) and stables (1839) should be repaired rather than replaced. If replacement is necessary, the works should be based on existing or historical evidence rather than conjecture, and the works should be sympathetic to the fabric and values of the existing buildings.
- Policy 83. The remnant original sandstone flagging in the stables (northern end) and the house (B01, B09, B10, B11, B12, G36, G37 and G38) should not be replaced. Repairs should be undertaken in-situ and replacement of individual stones should only be undertaken as a last resort if they pose a safety hazard and cannot be suitably repaired.
- Policy 84. Unpainted timber joinery in the house (1842) and stables (1839) should not be painted. This is inclusive of skirtings and window and door joinery.
- Policy 85. Cleaning of all sandstone walls, stairs, paving and walls should not be undertaken with a high-pressure hose, to avoid damage to the historic fabric. Cleaning should only be undertaken with a stiff brush.

Stables

- Policy 86. Unsympathetic repairs to the stables, such as the use of cement mortar, should be removed and replaced if possible with a lime based mortar that will allow the building to breathe, and to avoid further deterioration of the original sandstone walls. This should only be undertaken where it can be demonstrated that it will not damage the stone.
- Policy 87. Changes are allowable to the accommodation spaces within the southern end of the stables, which are later alterations and additions. Changes to the stables should be assessed by a qualified heritage consultant to further determine the extent of original internal fabric and elements (e.g. fireplace, windows, room configuration), depending on the nature and extent of the proposed changes.
- Policy 88. Retention of the slate is not required in the long-term if a suitable replacement roofing material can be sourced that compliments the built form and that does not adversely impact on the place's overall heritage significance. Whilst the existing roofing materials are in place they should be maintained and conserved to ensure the building is secure and water-proof.
- Policy 89. The pump at the base of the northern elevation externally should be considered for removal, along with the vegetation directly adjacent to the sandstone wall, to avoid the potential for water damage to the sandstone wall.

House

- Policy 90. Water damp issues in the basement should be investigated within six months from the final date of this report. This includes investigations in known areas of salt attack and spalling of sandstone (B01, B02, B03, B09, B10, B11 and B12), as well as investigations in other basement rooms where the timber panelling may conceal potential water damage. Following conservation works these areas should be monitored on a regular basis to ensure the issues have been remediated, and the long-term conservation of original sandstone walls, floors and ceilings.
- Policy 91. Alterations and additions to the house in the 1960s and 1980s have reduced the integrity of the house and significance of the internal room layout and original fabric in many areas. If changes are proposed in these areas of the house in the

future, consideration should be given to reinstating or improving the readability of the original room layouts, where feasible. This includes the master bedroom (G12), bathroom and hallway (G24 and G25), bedroom, bathroom and walk-in-robe (G21, G22 and G23), two small bedrooms and hallway (G26, G27 and G28), and the bedroom, bathroom and toilet (G31, G32 and G33).

- Policy 92. Reinstatement of the porte-cochere may be considered if a formal entry to the eastern elevation of the house is re-established.
- Policy 93. Various finishes in the house should be maintained, however some are not original and not essential to reinstate, such as the 1980s marble paint effect (G01, G02 and G05) or 1980s fabric (G03, G04, G06, G12 and G16) on the interior walls.

6.4.2 Other Buildings

- Policy 94. Maintenance works to the house (1842) and stables (1839) should be a priority over maintenance works to other buildings on the property of moderate or little heritage significance.

6.4.3 Walls, Fences, Bridges and Quarries

- Policy 95. Built elements throughout Fernhill Estate of exceptional, high or moderate significance should be retained and conserved. This includes the early stone wall with distinctive banding of large and small coursed sandstone rubble with a peak top course that may be contemporary with the house. Maintenance to this wall may contribute further information towards its construction method and date.

6.4.4 Access and Driveways

- Policy 96. The main entry and associated driveway should be retained in its current location (noting that it has been relocated as part of the road upgrade works for Warragamba Dam) and be retained as a rural entry.
- Policy 97. The service entry and driveway should also be retained generally in its current form.
- Policy 98. If increased traffic movement is required onto the site, an additional entry could be constructed provided it does not conflict with the current entry points, does not remove the current entry points as the main entry for the day to day functioning of the property and it does not adversely visually affect the property setting. If a new entry is proposed it should only be used in relation to uses that require controlled traffic flow.
- Policy 99. Maintain the un-used section of the original main entry extending from Mulgoa Road as a former road. Retain the remaining flanking gums and prevent planting on the roadway or fencing crossing the road alignment.

6.4.5 Services and Infrastructure

- Policy 100. Any proposed new services or infrastructure or upgrading of existing services or infrastructure should be assessed by a suitably qualified heritage consultant, so as not to adversely impact on the heritage significance of Fernhill Estate.

-
- Policy 101. Should other services or infrastructure be required on the property, it should be located away from the house and preferably not within Landscape Area 4, so as not to impact on the setting of the house or house garden and significant views and vistas.
- Policy 102. Undertake maintenance on a regular basis to the existing septic tank system or any replacement system.

6.4.6 New Buildings or Development

- Policy 103. If new buildings and structures are required at Fernhill to facilitate new or existing uses, consideration should first be given to the adaptive reuse of existing non-intrusive elements. This does not preclude new buildings or elements being added to the site but ensures that the existing building stock is well-used prior to additional buildings being constructed.
- Policy 104. A key to the consideration of any new elements on the estate is their location and siting. It is important that new elements are not considered in isolation or without the context of a masterplan for the site. A masterplan process allows broad consideration of potential impacts across the site and can guide decision making to achieve appropriate and best fit and location for any new elements.
- Policy 105. Considerations in planning for new buildings or structures, apart from the design and siting of the building itself, are the impacts of servicing and access requirements, storage, garbage, roads and parking and changes required to the landform or setting to accommodate the building.
- Policy 106. New buildings or structures should not be proposed within Landscape Area 4 between the house and Mulgoa Road (defined by the two entry roads) with the exception of some potential to extend the current stables complex.
- Policy 107. Similarly new buildings should not be located within the garden areas immediately around the house within the garden setting and view lines from the house. There however remains some potential for new development in the area around the former tennis court and potting shed area for support buildings.
- Policy 108. Proposals for new buildings should be developed around fitting development into the rural character of the site through use of appropriately scaled and detailed buildings that extend the character of the site.
- Policy 109. Where new buildings are proposed they should be planned to remove potential impacts from existing significant buildings by locating service areas, for example, in the new structures rather than existing heritage buildings.
- Policy 110. Proposals for new buildings should be assessed by suitably qualified heritage (and other appropriate) consultants.
- Policy 111. If disabled access is required at Fernhill, an evaluation of the heritage impact should be undertaken and heritage sensitive alternatives should be considered.
- Policy 112. A co-ordinated approach to the provision of signs is required on the site. Signs may be required for information, marking entry points, directing movement or in some cases interpretation. All signage should be part of a designed signage strategy for the site that will require consent from Penrith Council. A unified design approach is required that seeks to keep signage discrete, minimal in number, carefully located to avoid impacting viewlines and consistent with the

overall visual values of the site.

Policy 113. Any proposals for lighting around the site, in relation to new uses or general lighting for current activities, should be designed to minimise any visual impacts on the landscape from the provision of the light fittings or standards and from the potential impact of the lighting at night. Lighting should be discrete, provided for safety and ease of movement around the site, such as on stairs and pathways and should not light external areas with broad lighting systems.

Generally site lighting should not be visible at night (that is the light sources should not be visible within the landscape), should be designed to light ground surfaces rather than landscape elements and the buildings should be seen with their internal and verandah lighting within a darkened general setting.

Any proposals for highlight lighting of buildings or site features should be subject to detailed design and approval.

Temporary lighting for special uses or events should only be used for the specific use.

6.4.7 Subdivision and Potential Development on Peripheral Lands

Policy 114. The current area contained within the SHR listing should not be further sub-divided and consideration should be given to consolidating this area into one allotment.

Policy 115. The Fernhill lands outside the SHR listed area could be sub-divided, particularly where such development facilitates the conservation of the core Estate and buildings. Any proposal to sub-divide land outside the core area of the Estate, where that land is heritage listed under LEP 2010 should be undertaken under clause 5.10.(10) of the LEP and only undertaken where there is a link to facilitating heritage outcomes including conservation of the property.

If development or sub-division is proposed other impacts need to be considered including:

- any impacts in relation to other heritage items that may adjoin or be in the vicinity of the proposal
- the scale of the proposed development
- the environmental constraints that affect large parts of the estate
- aboriginal archaeological assessments
- amenity to adjoining properties
- servicing requirements
- provision of roads and other infra-structure
- other planning requirements arising from LEP 2010

Proposals for sub-division should also take into account policies 65, 66 and 110.

Policy 116. While it is desirable to retain a broader Estate than the original grant lands, there is no constraint under the current lot arrangement within the broader Estate that prevents the excision of lands outside the core site (or as the central estate is in several lots of its separation by sale). Most of the larger estate lands do not make any contribution to the direct heritage values of Fernhill, although it is

noted that a number of adjoining lots have viewsheds across parts of the Fernhill property and are listed for their contribution to the 'curtilage' of Fernhill.

This does not mean that the other estate lands do not have any heritage value. The eastern lands, even though not part of the early Fernhill lands have been heritage listed for their visual setting in relation to Fernhill. These lands also formed part of other early Cox land grants (as did most of the now heavily sub-divided Mulgoa Valley) and have some remnant but very minor associational significance, along with most of the surrounding lots, for the early Cox connections.

Similarly the western precinct formed part of the large Fairlight Estate that has been largely broken up with Fairlight now only sitting on a small parcel of land. The values here are visual from limited overlooking of the Fernhill land and associational in a similar way to the surrounding rural residential lots.

Future consideration of sub-division or development needs to consider the visual impacts of such action and to a lesser extent the remnant associational values that may remain.

Read this policy in conjunction with policies 109 and 66.

6.4.8 Bushfire Management

Policy 117. Fire hazard reduction works should be undertaken at Fernhill annually to comply with the Rural Fires and Environmental Assessment Legislation Amendment Act 2002. Generally fire hazard reduction work should comply with the GHD Bushfire Management Plan 2013. Any reduction works should consider impacts to the heritage significance of the place and works that involve risks to heritage items or fabric should not be undertaken.

Policy 118. The fire trail through Landscape Area 6 should be maintained to provide access for fire fighters.

6.5 Managing the Archaeological Resource and Aboriginal Heritage

The following policies are aimed at managing the historical and Aboriginal archaeological resource and Aboriginal cultural heritage at Fernhill Estate.

If proposing to undertake works at Fernhill that involve excavation or that may impact upon surface artefact sites the following process is recommended to assess the archaeological impact of the works:

Policy 119. While areas of the site have been assessed as having low archaeological potential related to historical archaeology, care should be taken when working around early site features as there always remains the possibility of archaeology remaining in situ.

Policy 120. Known or potential historical or Aboriginal archaeological sites should be avoided when undertaking works.

Policy 121. If there is a likelihood that historical relics will be disturbed, a suitably qualified and experienced historical archaeologist should be consulted to assess the potential impact and requirement for approvals or exemptions under the Heritage Act. If the existence of relics can be established by visibility or historical documents or findings in an archaeological assessment an approval under th4

Heritage Act will be required if works impact them.

- Policy 122. If works are unlikely to disturb any areas of historical archaeological potential, then notification is not required to the Heritage Division of the Office of Environment and Heritage; however should any historical relics be discovered during works in areas unlikely to contain relics, must cease and archaeologists at the Heritage Division of the Office of Environment and Heritage must be notified, and/or the services of a suitably qualified historical archaeologist to assess the nature and significance of the relics; an exemption or permit may be required under Section 60 of the Heritage Act.
- Policy 123. Permits may be required under Section 90 of the National Parks and Wildlife Act for the disturbance of known or discovered Aboriginal archaeological sites or objects.
- Policy 124. If Aboriginal archaeological sites or objects are discovered, works must cease and the National Parks and Wildlife Service must be informed under Section 91 of the Act.
- Policy 125. The significance of the open artefact scatter on the eastern side of Mulgoa Road (Landscape Area 7) is unknown. Prior to works being undertaken in this area, it is recommended to investigate the nature and significance of this known Aboriginal site through liaison with the National Parks and Wildlife Service.
- Policy 126. The partly exposed potentially early stone drain running along the northern edge of the southern driveway may require further investigation if undertaking future works to the driveway.
- Policy 127. The property owner must ensure that all staff and contractors working at the Estate understand what known or potential Aboriginal and historical archaeological objects, remains and places are on the site, what the process is when undertaking works that may impact upon known or potential archaeological remains, and what to do when Aboriginal and historical archaeological objects, remains and places are discovered during works.

6.6 Managing Use

The following policies are aimed at managing the property's existing rural uses, whilst considering potential future uses.

- Policy 128. Current and future uses should not adversely impact on the heritage significance of Fernhill Estate or its significant component parts. Only uses that have no, minimal or acceptable impacts on heritage values should be permitted on the property.
- Policy 129. A key component of the future viability of the property is the selection of uses that can sustain the place, culturally, in terms of its heritage value, and financially. Proposals for new uses should be assessed by suitably qualified heritage consultants to assess the impacts on the place's overall heritage significance and significant fabric as an initial part of any proposal.
- Policy 130. When considering new uses it will be important to assess the range of uses that may be proposed, the intensity of use, the scale of any use, the ability of the landscape and property to accommodate the use in both physical terms and the ability of the site to recover from some uses, planning issues that may relate to some of the uses, the infrastructure that may be required for a use and whether it

is temporary or permanent.

- Policy 131. Any proposal for a new use on the property must be accompanied by a detailed outline and assessment of the use and a detailed heritage impact assessment.
- Policy 132. New uses that are outside the present rural uses of the Estate must facilitate the conservation of the place. It is noted that any new use is likely to require consent under Penrith LEP 2010 and if the use is not a complying use under clause 5.10.10 of the LEP.
- Policy 133. Prior to consideration of removal of any built elements, such as stone walls, timber fencing or dams, consideration should be given as to the ongoing viability of Fernhill Estate for pastoral and other uses so that such actions do not prevent pastoral uses to continue.

Rural Uses

- Policy 134. Maintaining a range of rural uses on the site is a key element in maintaining the historic character and use patterns of the Estate. The use of existing paddocks and infrastructure with new rural elements as required to maintain the Estate is encouraged.
- Policy 135. Fernhill Estate has had historical uses for keeping deer, other game animals, birds in a small pleasure garden, other farm animals such as horses and cattle grazing and the chicken hatchery. Parts of the estate have been used for cropping and market gardening, orchards, vineyard and a range of other rural uses. These uses are appropriate for a rural property.
- Policy 136. Rural uses should not be compromised by the addition of other uses to the site.
- Policy 137. Removal or part-removal of endangered ecological communities within cleared area of Fernhill Estate may be possible to allow for ongoing rural uses. An ecological and/or heritage assessment may be required prior to the removal of any vegetation.

Equestrian Uses

- Policy 138. It is possible to expand the equestrian infrastructure on the site in carefully selected locations to provide additional facilities and to undertake a significant equestrian program without adversely impacting on heritage values. These could take place:
- Around the current stables complex with some potential to expand that facility.
 - Around the race track but without any new permanent elements or structures.
 - In the area immediately west of the original stables and great hall buildings where there are paddocks and loose boxes.
 - Around the area of the burnt out service and aviary buildings.
 - In parts of the southern paddocks near Littlefields Creek.

Event Uses

- Policy 139. If event uses are proposed for the estate, key considerations in determining whether the number and the nature of events is appropriate should include:
- The potential for physical impact on the place.

-
- The potential for any cumulative impacts that may arise.
 - The number of events that may take place across a year.
 - The ability of the infrastructure of the estate to accommodate the use.
 - The impacts of any new infrastructure or construction that may be required for the events.
 - The potential impacts on the amenity of the locality.

Policy 140. Uses that involve public access to the site (ideally in a range of ways) should be integrated into future proposals.

Ancillary or Support Uses

Policy 141. The Fernhill site is expansive and can accommodate a select range of support uses that can operate in their own right and in relation to other uses. Support uses should be integrated into the site in locations that are outside the core heritage areas and which would have little or no impact on the character and heritage values of the place.

Policy 142. In determining the suitability of infrastructure for support activities a masterplan needs to be developed to identify the extent of facilities that could be accommodated without heritage impact, preferred locations for any new development and consideration of how this would be serviced and accessed. The over-riding consideration in placing any support activity on the site should be whether it fits comfortably into the rural character of the site and whether or not it can be provided without any noticeable visual or amenity impact.

Policy 143. Support activities should be ancillary to the main uses of the Estate, that is they must not dominate the use or management of the estate but rather facilitate other uses and remove pressure from heritage features of the place.

Policy 144. Short-term accommodation could be provided in a number of locations around the site that could support other uses and provide an income stream. Accommodation could take a range of forms from provision for camping to self-contained rooms to groups of rooms.

Policy 145. Considerations related to providing accommodation include:

- The form of accommodation to be provided in terms of standard of accommodation and the range of accommodation types that may be needed
- The scale of accommodation required to satisfy the particular need. For example it would be useful to be able to accommodate a typical school class to allow for educational use or the ability to accommodate an equestrian team. If accommodation is for more than a night or two there will need to be additional facilities such as lounge and possibly dining areas.
- The ability of an area to accommodate the use particularly in terms of service requirements such as provision of sewer, parking and access needs, the need for other related spaces to accommodation rooms
- If camping is developed as a use, the impact of camping on the area designated for the use and the methods of site recovery.
- Any impacts on the landscape from drainage, use, construction, etc.

BioBanking

- Policy 146. Fernhill has extensive areas of natural vegetation that have a conservation value in their own right. There are opportunities for activities such as BioBanking and improving the quality of the natural environment.
- Policy 147. There should be a careful balance between natural and cultural heritage values on an estate such as Fernhill with clear limits established to limit areas of natural vegetation so that they do not adversely impact on the core important cultural heritage values of the place. At present the constraints on natural vegetation are the environmental zonings across a large part of the estate that precludes any development or removal of significant vegetation and the recently gazetted BioBanking areas of the site. Areas that are not subject to environmental protection or BioBanking agreements should generally be kept as open pasture land.
- Policy 148. Areas subject to BioBanking are to be maintained in accordance with the BioBanking agreements that may be established.

Use of the House and Core Buildings

- Policy 149. The main house should have some public access, irrespective of its future use. Ideally the house should remain in use as a family home.
- Policy 150. Public access to the house should be managed in accordance with guidelines such as those established by English Heritage for the management of events and access to English properties.
- Policy 151. Event or non-family use of the house should be limited to the ballroom and public rooms (hallway lounge and dining room) and sections of the basement that are externally accessible from the north stair. This would involve the main basement rooms to the east and south. It is noted that these areas do not have equitable access which may be a requirement.
- Policy 152. The immediate gardens and lawns around the house and other buildings can accommodate public access and small event use provided it does not impact on the residential amenity of the house.
- Policy 153. The provision of services such as toilets and shelter structures should be limited to the service areas of the grounds, such as the area behind the tennis court or to the west of the court. If temporary structures are required they should be limited the levelled lawns to the north and south of the house.
- Policy 154. Consideration should be given to using existing structures (non-significant) for adaptation for service use and new structures only added (or existing non-significant structures replaced) where existing elements cannot be re-used.
- Policy 155. An important issue in developing uses around the house precinct is to ensure that other uses do not overwhelm the use of the house as a residence.

Support Base for Fernhill

- Policy 156. If new public uses are developed there would be benefit in establishing strong links into the local and broader community through a support network that could be similar to a 'Friends of' or a 'Foundation'. It is recommended that such a group be investigated as part of any future proposals for the place to ensure that there is ongoing public access and involvement in the estate.

6.7 Interpretation

There are opportunities to interpret the diverse values of Fernhill Estate to the public through planned interpretation.

Policy 157. The interpretation of Fernhill should be undertaken in conjunction with the various uses that are developed for the site where specific aspects of the property can be explored. As many of the possible uses for the property relate to its history there are good opportunities to interpret aspects of the past along with the current uses.

Policy 158. There are numerous ways in which interpretation can take place. Fernhill is a large and complex site where the least preferred method of interpretation would be on site signage. Other ways in which interpretation can take place could include:

- Part of the Fernhill website is dedicated to its history and some of the stories and themes of the place. This could be developed over time with material being progressively added to maintain interest in the site.
- A short history of the site with a walking route around parts of the site explaining the features of the place that are accessible could be available for open days and some events.
- An App could be developed that is available to visitors of the estate that provides information on the estate as they move around it and in relation to specific events.
- Education programs for local schools can be undertaken that deal with both cultural and natural history of the site. This has the advantage of linking schools to the site for a range of cultural experiences.
- Publishing the history (or an edited version of it) as contained in the CMP of the estate and the area.
- Holding specific events related to the history of the property and areas particularly in relation to a Friends or similar group.

6.8 Further Research and Investigations

The following policies are in relation to opportunities for further research.

Policy 159. Investigations should be undertaken to the former winery ruins (west of the house and paddocks) to understand more about its use and potential construction date. No building materials or any potential historic remains should be removed from this site, to aid future investigations.

Policy 160. Investigations should be undertaken in the roof space of Fernhill house to obtain further details about original room configuration, the intent for constructing the house with a second floor, and original and later roofing materials.

Policy 161. Archival records that relate to Fernhill should be securely stored and maintained on the property, including a copy of this and future conservation management plans. This should include a schedule of maintenance and conservation works undertaken each year, along with any investigations or further research, so as to aid in the updating of this CMP in the future.

Appendix A Definitions

Term	Definition	Source
Adaptation	Adaptation means modifying a place to suit the existing use or a proposed use	Australia ICOMOS 1999
Associations	Associations mean the special connections that exist between people and a place	Australia ICOMOS 1999
Australia ICOMOS	The national committee of the International Council on Monuments and Sites	Heritage Office and Department of Urban Affairs & Planning 1996
Burra Charter	Charter adopted by Australia ICOMOS, which establishes the nationally accepted principles for the conservation of places of cultural significance	Heritage Office and Department of Urban Affairs & Planning 1996
Conservation	Conservation means all the processes of looking after a place so as to retain its cultural significance. Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.	Australia ICOMOS 1999
Conservation Management Plan	A document explaining the significance of a heritage item, including a heritage conservation area, and proposing policies to retain that significance; it can include guidelines for additional development or maintenance of the place	Heritage Office and Department of Urban Affairs & Planning 1996
Conservation policy	A proposal to conserve a heritage item arising out of the opportunities and constraints presented by the statement of heritage significance and other considerations	Heritage Office and Department of Urban Affairs & Planning 1996
Cultural significance	Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present and future generations. It is embodied in the place itself, its fabric, setting, use, associations, meanings, records, and related places and objects. Places may have a range of values for different individuals or groups.	Australia ICOMOS 1999
Curtilage	The geographical area that provides the physical context for an item, and which contributes to its heritage significance; land title boundaries do not necessarily coincide	Heritage Office and Department of Urban Affairs & Planning 1996
Fabric	Fabric means all the physical material of the place including components, fixtures, contents and objects.	Australia ICOMOS 1999
Heritage item	A landscape, place, building, structure, relic or other work of heritage significance	Heritage Office and Department of Urban Affairs & Planning 1996

Term	Definition	Source
Heritage value	Often used interchangeably with the term 'heritage significance'; there are four nature of significance values used in heritage assessments (historical, aesthetic, social and technical/research) and two comparative significance values (representative and rarity)	Heritage Office and Department of Urban Affairs & Planning 1996
Integrity	A heritage item is said to have integrity if its assessment and statement of significance is supported by sound research and analysis, and its fabric and curtilage and still largely intact	Heritage Office and Department of Urban Affairs & Planning 1996
Interim Heritage Order (IHO)	An order made under the Heritage Act by the Minister for Planning on the recommendation of the Heritage Council of NSW; the purpose is to provide a "breathing space" of no more than 12 months during which a full heritage assessment can be completed; temporary in nature, the majority of IHOs are made in response to community representations or concerns raised by local government	Heritage Office 2007, <i>Interim Heritage Orders</i> , < http://www.heritage.nsw.gov.au/07_subnav_22.htm >.
Interpretation	Interpretation means all the ways of presenting the cultural significance of a place. This may be a combination of the treatment of fabric, the use of and activities of the place, the use of introduced explanatory materials, and many other interpretive methods.	Australia ICOMOS 1999
Maintenance	Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair	Australia ICOMOS 1999
Permanent Conservation Order (PCO)	An order made under the Heritage Act to protect a significant heritage item in NSW; the order remains in place indefinitely unless revoked; PCOs were repealed in 1999 and replaced by Interim Heritage Orders	Heritage Office and Department of Urban Affairs & Planning 1996
Place	Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.	Australia ICOMOS 1999
Reconstruction	Reconstruction means returning a place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric	Australia ICOMOS 1999
Repair	Repair involves restoration or reconstruction	Australia ICOMOS 1999
Restoration	Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material	Australia ICOMOS 1999
Setting	Setting means the area around a place, which may include the visual catchment	Australia ICOMOS 1999
Use	Use means the function of a place, as well as the activities and practices that may occur at the place	Australia ICOMOS 1999

Appendix B Site Identification Plans

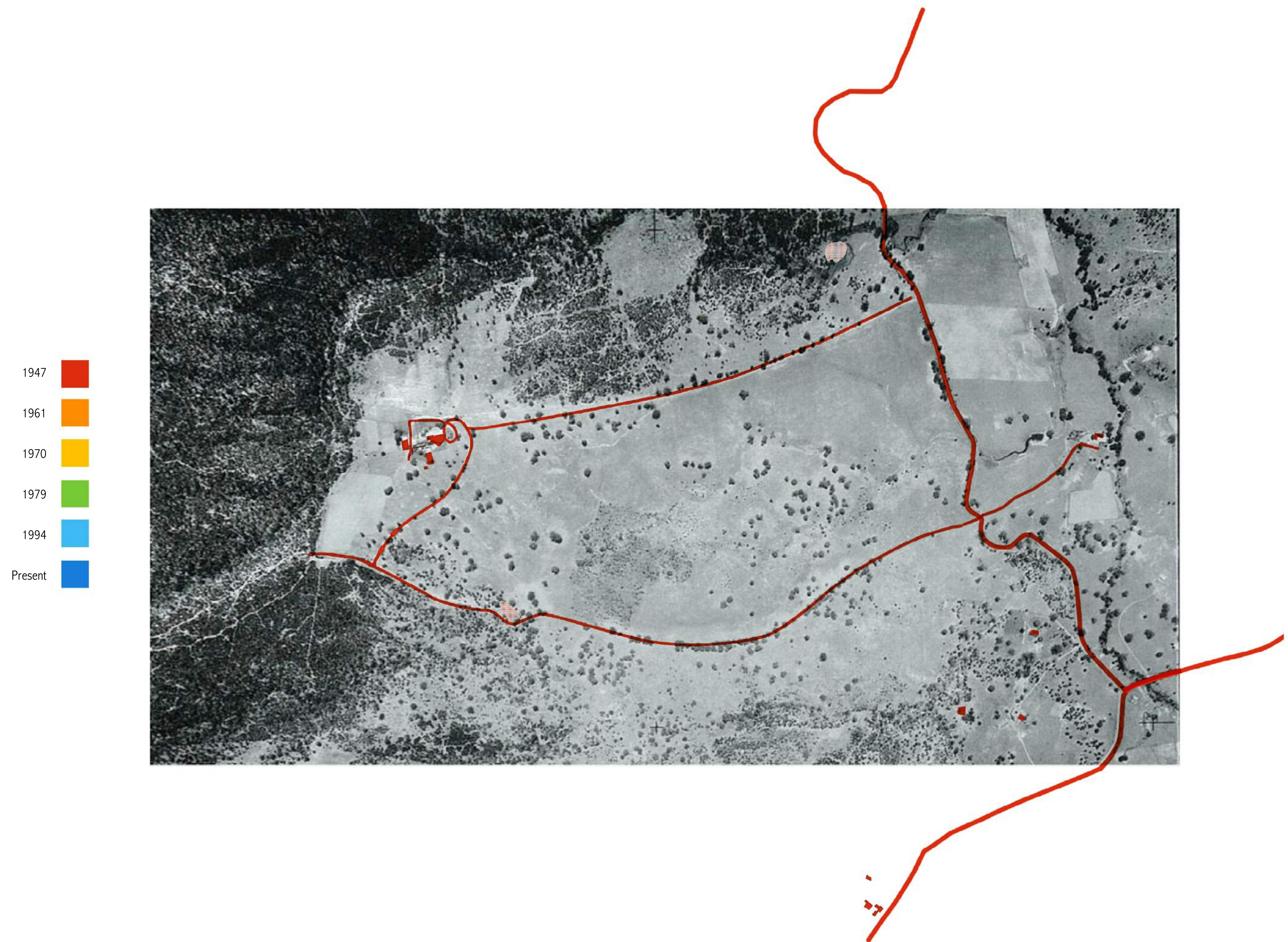


Figure 244: 1947 Overlay showing the features extant in 1947 on the 1947 landscape



Figure 245: 1947 Features overlaid on current aerial photograph.

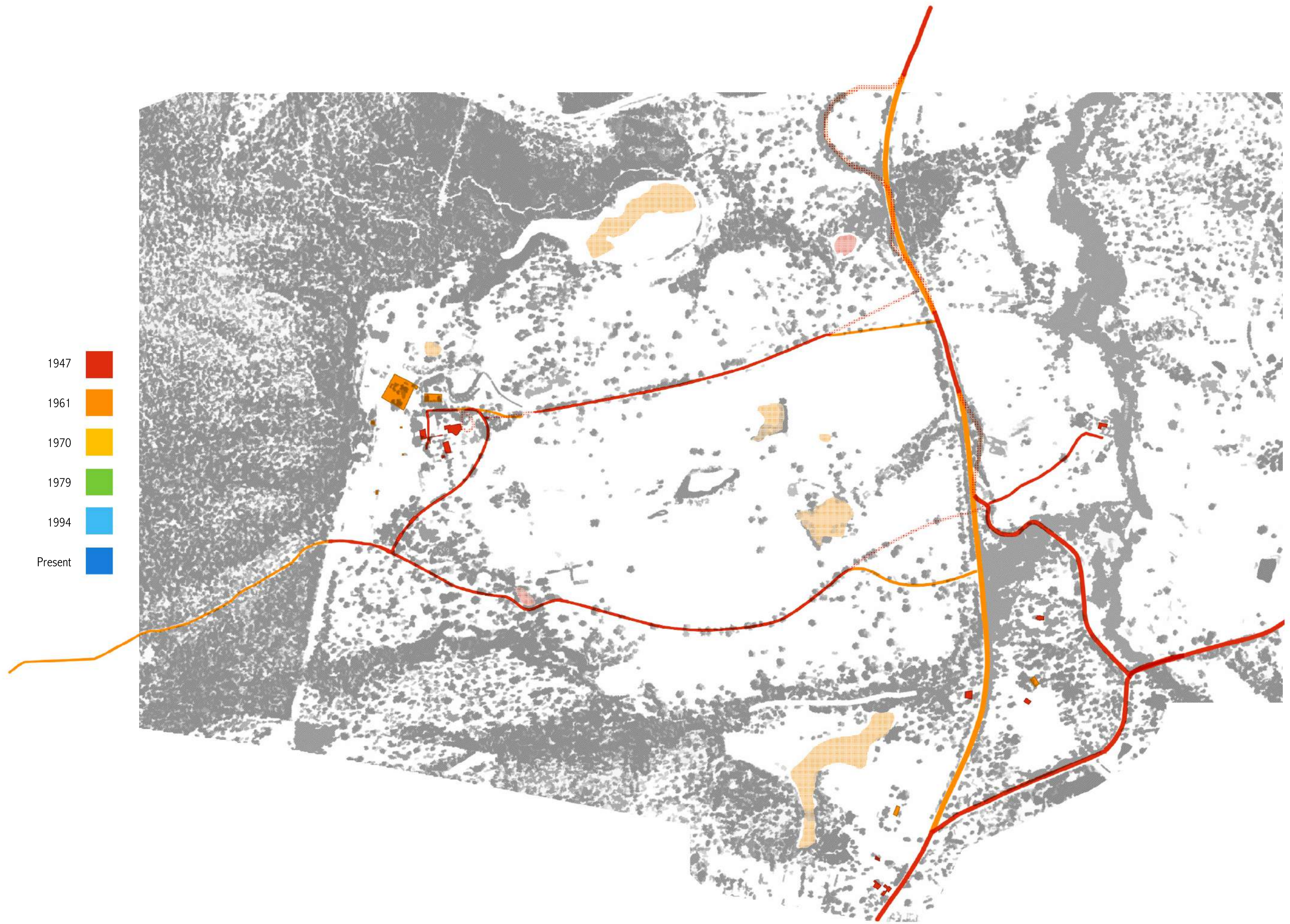


Figure 246: 1961 Features overlaid on current aerial photograph

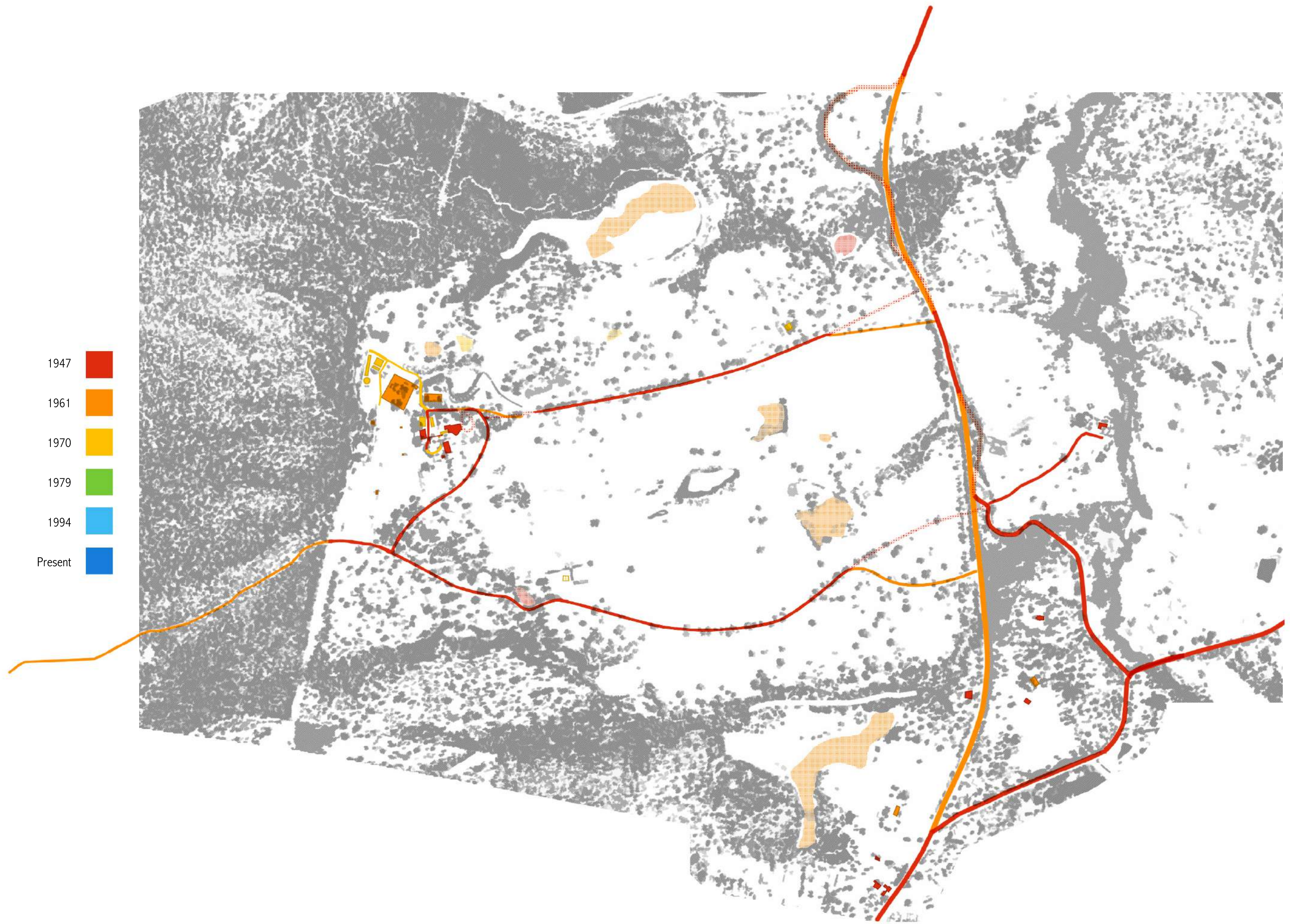


Figure 247: 1970 Features overlaid on current aerial photograph

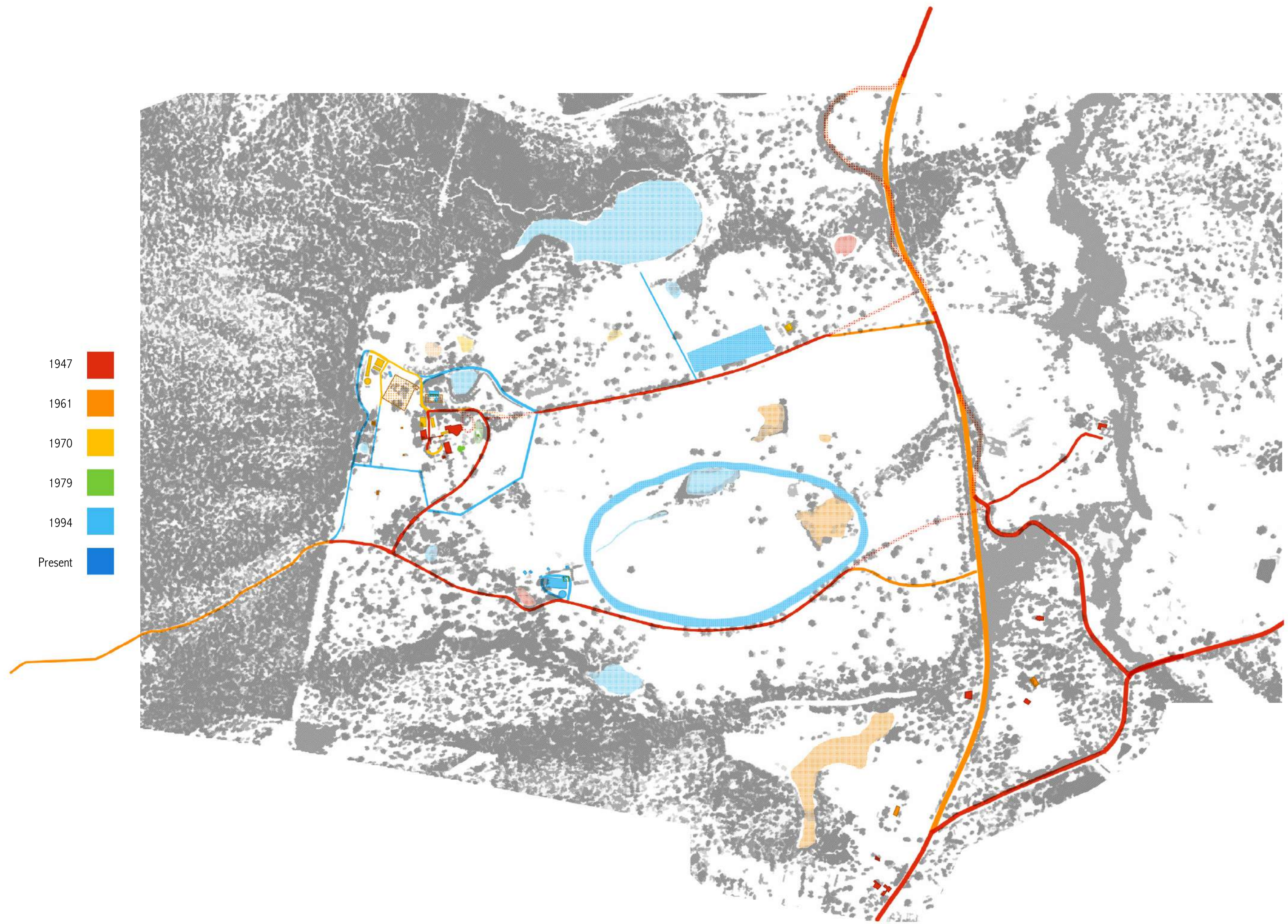


Figure 249: 1994-1998 Features overlaid on current aerial photography

Appendix C Maintenance Plan

FERNHILL ESTIMATED MAINTENANCE AND WORKS COSTS – TABLE 1 - HERITAGE BUILDINGS AND ELEMENTS

Refer to attached spread sheets for detailed costs.

Notes:

Altus Page Kirkland prepared a detailed assessment of the conservation and maintenance works required in 2010 and costed those works. This schedule was attached to the 2010 CMP. While the property has changed a little in the past 3-4 years, the extent of work is basically the same and the measurement and costings, with appropriate indexing remains relevant. It is however noted that over the last 18 months that considerable conservation and maintenance work has taken place on the buildings.

The figures in the following schedule are taken from the Altus Page Kirkland 2010 schedule with the following amendments:

- 1 Prices are indexed for current building prices
- 2 Works on the 2010 schedule that have been undertaken have been deleted as no longer required, the 2010 numbers are retained to allow cross referencing to the QS assessments.
- 3 The schedule has been allocated over 20 years to reflect an actual maintenance regime allocated across the years
- 4 Costs are rounded as they are estimates only
- 5 Significant work has been undertaken in the last 18 months on the buildings (approx. value \$0.5 million) to recover the place, these works do not appear in the proposed maintenance and conservation program.

The annual allocation of budget is based on a likely framework for undertaking the works. This may vary a little over time as programs are developed and needs refined, however, minor adjustment or refinement does not change the regular and long-term need to undertake planned and regular works to ensure the place remains in good condition.

It is also noted that these works are a minimum amount of work. If only these works are done, the place will be maintained and conserved but it is likely that works in excess of this will be undertaken and the intent of the program is to undertake the works that are necessary at any time, irrespective of the cost of those works. The costings are provided as a guide to the quantum of funds required on an annual basis but again it is noted that costs may vary from year to year depending on the actual work required at any time.

This document does not consider how the funds are raised or managed, that is set out in a separate planning agreement.

FERNHILL EXTERNAL WORKS 20 YEAR WORKS AND MAINTENANCE PLAN

[illegible]

Item No:	Item/Year	immediate	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
E15	General gardening	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
E16	Selected clearing of understorey to allow views to the stone bridges		10,000		2,500			2,500			2,500			2,500			2,500			2,500	
E17	Repairs to the reflection pool area	10,000	4,000		1,000			1,000			1,000			1,000			1,000			1,000	
E18	Pruning and maintenance of hedges and row plantings		25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000	25,000
E19	Repair of tennis court						15,000		1,000		1,000		1,000		1,000		1,000		1,000		1,000
E20	Repair of 1840 wall near house	20,000																			
E21	Winery Stabilisation		4,000																		
E22	Entry Gates		4,000																		
E23	Former Slab Cottage	7,500																			
E24	Remove section of stone fence				12,500																
E25	Remove selected trees		5,000	5,000	5,000	5,000	5,000														
E26	Pecan Grove Maintenance	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
E27	House drainage		1,000																		
E28	Bridges		2,000																		
	Totals	168,500	148,500	121,000	119,500	121,000	114,500	114,500	97,000	108,500	113,000	114,500	102,000	119,500	89,500	106,000	119,000	111,000	87,000	122,000	87,000
	Contingency	20,000	20,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
	Total	188,500	168,500	136,000	134,500	136,000	129,500	129,500	113,000	113,500	128,000	129,500	117,000	134,500	104,500	121,000	134,000	126,000	102,000	137,000	102,000

Item No:	Item/Year	immediate	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
	Cost of on site maintenance person inc on costs		70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000	70,000
	Annual equipment cost allowance		30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000	30,000
	Consultants say 10%	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
	Sub-total		115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000	115,000
	Building costs from Table 2 (rounded)		60,000	65,000	40,000	85,000	85,000	75,000	60,000	45,000	70,000	85,000	85,000	70,000	45,000	75,000	70,000	80,000	50,000	55,000	70,000
	Total (rounded)	203,500	343,000	316,000	289,500	336,000	329,500	319,500	303,000	273,500	313,000	329,500	317,000	319,000	264,500	311,000	319,000	321,000	267,000	307,000	287,000

Excludes:

- equestrian and farm operation costs
- general farm maintenance and running costs
- new works and their maintenance
- major works caused by flood or fire etc.
- bio-banking costs

SUMMARY OF COSTS

Total expenditure over 20 years on annual maintenance = **\$6,068,500**

Average annual maintenance and conservation allowance (\$6,068,500/20) = \$303,425 say **\$300,000 per annum**

This comprises (rounded)

Average annual building expenditure = \$60,000
Annual Grounds and Site maintenance = \$120,000
Professional Fees = \$20,000/annum
Maintenance staff and materials = \$100,000/annum

Maintenance staff Costs/annum

Salary \$60,000
Super \$6,000
Insurances \$2,500
Travel \$1,500
Total \$70,000

Tools and equipment allowance/annum

upgrades on site for maintenance equipment – allow \$30,000/annum.

OUTLINE OF WORKS SET OUT IN MAINTENANCE SCHEDULE

FERNHILL HOUSE AND STABLES

The major activities in relation routine maintenance are an annual inspection by a heritage architect to update the maintenance plan for that and the coming year and routine minor maintenance works to prevent larger problems arising from the fabric.

Overall the buildings are in very good condition. This reflects a large amount of recent works to address immediate problems and a much longer term regime of maintenance and works that has kept the buildings in good condition until the last few years.

There are not large imminent works programs required for the house and stables. Having said that, in time the roof will require replacement (anticipated at 25-30 years) and drainage will need to be monitored to ensure that the basement remains damp free.

Specific investigation works such as inspecting walls behind the basement timber paneling (that was probably put in place to cover damp issues that existed) will reveal more information over time.

The amounts allowed are generous for the work required and time frames for work (for example painting) are above standard industry practice so that unknown elements can be accommodated.

The total budget allowed in any year is more than adequate to undertake the required core maintenance to the two heritage buildings. A higher than usual contingency has been allowed (20%) to cover unknown items that may arise.

The engagement of a specialist contractor to work on the buildings, arrange other contracts and co-ordinate with the heritage architect adds value above the allowances as problems can be addressed as they arise without the need to wait for an annual review.

One of the key roles of the carpenter/supervisor is to undertake routine inspections of all aspects of the place to prevent problems becoming failures requiring significant repair.

H1 Cleaning and Vegetation Removal

General annual checking and removal of any plant growth around the buildings.

H2 Ground Floor Slab

Minor repairs to concrete slabs added in the 1960s.

H3 Termite Management

Annual inspection and treatment costs.

H4 Sandstone Columns

Allowance for minor repairs and repointing every 2 years, presently columns are in good condition.

H5 External Timber Circular Columns

Damaged columns have been recently repaired. Allowance to undertake minor repairs every 3 years and check that timber is sound.

H6 External Timber other Columns

Damaged columns have been recently repaired. Allowance to undertake minor repairs every 3 years and check that timber is sound.

H7 Ground Floor Repairs

Allowance for carpenter to undertake annual inspection and undertake minor carpentry repairs to floors and floor structure. Presently it is in sound condition.

H8 Internal Sandstone Stair (B10)

Generally fair condition. Monitor over time to ensure it is secure. If movement or deterioration takes place seek engineering and heritage advice.

H10 External Sandstone Stair (G35)

This stair, after plant removal, requires repointing and repair. Overall the stair is sound.

- H11 External Sandstone Stair (G38)
In fair to good condition, clean and repoint.
- H12 Remove leaf build up
General annual cost to remove leaf and litter from around buildings, roofs, gutters etc. To be undertaken on a monthly basis and as required.
- H13 Replace damaged roofing
Bi-annual cost to check roof and carry out minor repairs to slipped slates or damaged flashings, Allowance provides for 2 days for a roofer to undertake works.
- H14 Timber Fascia
Fascias are presently in good condition. Long-term deterioration may take place, this is an allowance to repair minor damage as part of an bi-annual inspection.
- H15 Soffits to awnings
Soffits are presently in good condition. Long-term deterioration may take place, this is an allowance to repair minor damage as part of an bi-annual inspection.
- H16 Repair/clean gutters
An annual allowance is provided for gutter cleaning above other repair costs.
There is no replacement requirement as gutters are copper.
- H17 Repair/clean downpipes
An annual allowance is provided for cleaning out and checking downpipes.
There is no replacement requirement as gutters are copper.
- H18 Repoint sandstone walls
This is part of a five year cycle of works and is an allowance to repair any ongoing minor deterioration of joints. Overall the sandstone is in very good condition and provided other maintenance is undertaken it should not deteriorate.
- H19 Repaint windows
Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.
- H20 Paint basement Doors
Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.
- H21 Paint ground floor doors
Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.
- H22 Painting
Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.
- H24 Repair existing wall.
The basement wall (at the rear of the house near the reservoir) has suffered from rising damp. Apart from ongoing works a lump sum figure of \$20,000 is allowed to investigate and resolve drainage issues in the area in year 1.
- H25 Timber screen to stable.
This allows to paint a small timber screen at the stables.
- H26 Internal doors painting and minor repairs, basement.
Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.
- H27 Internal doors painting and minor repairs, ground floor.
This work has been recently undertaken.

Painting is on a five year cycle to ensure that re-coating is undertaken prior to deterioration of the finish taking place. Painting is presently in good condition and is scheduled for four years.

H28 Paint internal plastered walls.

Most of the main areas that are painted have been recently re-painted and are in good condition. Painting is on a five year cycle.

H29 Fabric Wall panels.

The fabric walls panels are not significant and were installed by the previous owner. At present they have been retained and the condition of the walls behind is not known. If the fabric is removed there will be a need to repair walls with lime plaster and set coats to recover the original finish and then the walls will require painting. Presently the walls of the main bedroom, dining room and living room are fabric covered.

The fabric is not complete as fixings for pictures and lights for pictures were fixed through the fabric as part of the installation. At present the same picture locations have been used to allow the fabric finish to remain.

There is no allocation for this.

H31 Timber Wall panelling

The basement area has timber wall paneling that is recent, It is in good condition but will require minor occasional work.

H32 Not used.

H33 Timber floor basement

This floor is in good condition and is recent. An allowance is made for re-finishing every three years.

H34 Timber floor ground floor

The ground floor timber floors that are exposed (ballroom) are in good condition, this allows for minor occasional repairs.

H35 Sandstone floor basement

The sandstone flooring is of two types, the original flooring and c1980s stone flagging. All the stone is in good condition and requires minimal works. The three yearly allowance is for cleaning, minor repairs and pointing.

H36 Sandstone floor ground floor

The front entry is sandstone flagged in good condition. The allowance is for three yearly maintenance , cleaning, minor repairs and pointing.

H37 Timber skirtings paint

Part of the regular painting program for the interior.

H38 Timber skirting paint

Part of the regular painting program for the interior.

H39 Sandstone ceiling basement

The arched stone ceiling in two rooms is in excellent condition. An allowance is made each two years to inspect and do minor works.

H40 Plaster ceilings ground floor

The ceilings are a combination of original and new ceilings as the house was in poor internal condition prior to the 1960s. There is an immediate need for some work, detailed separately, the five yearly allowance is for inspection and ongoing repairs to cornices, decoration and filling cracks etc.

H41 Roof frame

A five yearly allowance for inspection and any adjustments to the roof frame. The roof has been inspected and is in sound condition having been largely rebuilt and strengthened in the 1960s.

H44 Hydraulic repairs

Annual inspection of hydraulic systems and minor repairs as required.

H45 Stormwater repairs

This work has been undertaken and the stormwater lines cleared and re-activated. The annual cost is for checking and minor clearing and maintenance.

H46 Chimneys

Repairs to chimneys, re-pointing, flashings, cleaning. Annual allowance for routine works.

H49 Power general

Allowance for annual electrical check and minor repairs and upgrade.

H50 Replacement light bulbs

Allowance for light bulb replacement and minor repairs to light fittings.

H51 Sandstone Porch

H52 Sandstone in stables

The paving is in good condition

H53 Sandstone to courtyard

The courtyard paving is in fair to good condition. Over time some slabs will need lifting and aligning and some may require repair. Pointing and filling around stones is required on a periodic basis. The annual allowance provides for an annual adjustment and minor works.

OUTLINE OF WORKS SET OUT IN MAINTENANCE SCHEDULE

LANDSCAPE, SITE AND OTHER BUILDINGS WORKS ITEMS

E1 Repair minor potholes and deterioration on the two main driveways on a regular basis and as required. At present the drives are in overall good condition. They are finished with asphalt without a formed edge.

This is an allowance for routine maintenance and is not based on a measurement of work required.

There are no immediate repairs to be undertaken

E2 This allowance is for routine fence maintenance. It does not include new fences. At May 2014 the fences are in good condition and have been repaired and rebuilt over the last 18 months after the 2000 fire damage and general deterioration since that time.

Repairs include replacing failed timbers, straightening, etc.

This applies to the core fences and not the general farm or boundary fences that do not form part of the heritage features of the site.

E3 Dam maintenance in this schedule relates to the dams within the central area of the estate and not the large farm dams which are maintained under other arrangements. The allowance is not for major works but is intended to maintain the setting and character of the dams that form part of the visual setting of Fernhill.

The maintenance includes clearing of debris and fallen trees and minor works only.

There is no anticipation of more major works related to the dams being required.

E4 Garden and lawn maintenance allows for a gardener 2 days per week to undertake general gardening to the main house garden. This is costed at \$280/day at an average of 2 days per week for 48 weeks = approximately \$25,000 per year.

E5 Tree surgery and maintenance.

Work on maintaining significant trees has taken place over the last 18 months. The bi-annual allowance provides funds in the first year for an inspection and report on the significant trees within the main setting (estimated at approx. \$7,500-\$10,000) and any immediate works. After this the allowance is to undertake works either as scheduled or as required.

It is noted that most of the trees on the site, that is within the cultural landscape, are not significant and many require removal as the property was overplanted and inappropriately landscaped by previous owners. Separate applications will be made to remove trees to recover some of the historic setting, however this work does not fall within this schedule.

E6 Replacement Plantings around the site.

Arising from the arborist report are likely to be recommendations to replant trees that are reaching senescence or to fill gaps in lines of early planting such as the driveway. The allowance provides for small numbers of replacement trees to be planted and maintained. This allowance does not cover general tree planting or new tree planting should that be considered desirable.

E7 Paving repairs around garden and paths.

The house garden contains stone paved, brick and other paths that require general maintenance. Overall the paths are in sound and good condition, however there are several locations where repair and maintenance work is required to remove trip hazards, in or movement in pavements and small amounts of subsidence.

\$10,000 is allowed immediately to undertake repairs (this equates to a suitable tradesperson for 4 weeks) and a further amount of \$2,500 is allowed to undertake any further works in the ensuing year after further settlement etc.

It is not anticipated that further repairs will be required in the foreseeable future.

E8 Repair and Clean Western House Reservoir.

At some point around the 1980s, the previous owner relined the reservoir, extended its height by adding new stonework and provided a concrete cover with turf above. This allowed the reservoir to provide water to the house. It is not known what maintenance works have taken place since that time. The extent of work is to drain the reservoir and to undertake an inspection, clean out the interior and ensure it is in sound condition.

Externally small parts of the original stonework can be seen, some areas require re-pointing and that is allowed separately.

A further small allowance is made every 5 years to inspect and undertake any minor works required.

E9 Farm building maintenance general.

The farm buildings, except the original stables building, are not of particular heritage significance, but do contribute to the rural character and setting of the place. The annual allowance of \$20,000 is to undertake the following works and maintenance to the following buildings:

- main garage structure
- minor garage
- hayshed
- stables complex
- loose boxes
- vineyard building

The general scope of work is:

- cleaning of gutters and downpipes on a 3 monthly cycle
- staining and painting of external timberwork as required
- painting of rendered finishes as required
- minor stonework repairs and pointing
- periodic replacement of guttering and downpipes
- minor roof repairs

This allowance does not cover major rebuilds, new work or upgrades as these items are not within the conservation scope.

E10 Repair of Stone walls

Significant work has taken place around the property in the last 18 months to stabilize and repair the stone walls that were constructed during the 1980s. This item does not address the colonial stone walls that are separately costed.

The rubble construction method, plant growth, possibly some impact damage and a lack of maintenance in recent years has resulted in sections of walls failing and requiring repair. The initial allowance is to undertake repairs where walls have failed. This is based on a budget of 2 stonemasons at a combined cost of \$1,000/day for 25 days or 5 weeks to undertake repairs.

The ongoing allowance of \$10,000 every 2 years allows a mason for 20 days to undertake minor repairs, pointing and stabilizing.

Materials comprise lime based mortars and are included in the above costs.

E11 Repair of timber pergola to north of house.

The pergola is supported on stone columns and steel posts and comprises timber beams and rafters, most of which have or about to fail. The pergola supports mature wisteria and other vines. The allowance is to replace the failed timbers on a progressive basis. The budget of \$5,000 allows for a carpenter for 2 weeks. Materials are available on site to undertake the work.

E12 Repair of other garden structures.

The CMP notes the pavilion on the island is not significant and should be considered for removal, this item is not included in the budget. Similarly the current bridge is a rebuild of an earlier bridge and is not significant, however a small bridge is required to access the island area. There are no other garden structures of consequence within the house setting.

The \$5,000 initial allowance is to repair or reconstruct the access bridge in particular. The allowance every 5 years is to undertake ongoing work to the bridge and minor garden elements.

E13 Stonework Repair to Bridges.

These are the two road bridges on the entry driveway. Both of these bridges were largely rebuilt by the previous owner, although the detail of that work is not known. Both structures are sound and in good condition. At least one of the bridges is rebuilt in concrete and the stonework that is visible is a combination of new and old stone.

There is no immediate work required to the bridges. The allowance of \$2,500 each 5 years is to provide for re-pointing, if required, and any minor repairs that may arise. The budget provides for 4-5 days for a stonemason to undertake works.

E14 Repairs to balustrades around pool area.

While not of specific heritage value the cast concrete balustrade is an important element within the garden setting and requires repair. The budget provides for immediate repairs to the balustrading to make it secure and slightly. It is noted that the design of the balustrading and area may change in the future, however that is not proposed at this time.

E15 General gardening.

In addition to the 2 days a week for lawn mowing and general works within the house garden area, a separate amount is budgeted for a gardener to attend 1 day a week and undertake general maintenance of the rose gardens and other planted garden areas.

In total this provides for at least 3 days per week of gardening within the house garden area.

E16 Selected clearing of understory to allow views to stone bridges.

This is a specific allowance to allow some clearing with the area between the stone bridges, the entry driveway and the reflection pond to allow filtered views to the bridges as was once available.

It is noted that this area is also subject to bio-banking agreements and that much of the maintenance work in this area will be part of the funding related to bio-banking. The allowance allows the area to be managed quickly and for invasive and understory plantings to be removed and thinned to recover views. The ongoing allowance was established prior to the bio-banking agreements and may not be required.

E17 Repairs to reflection pool area.

The reflection pool has had a number of changes made and the pool itself requires some cleaning and maintenance. While some original fabric such as stonework can be seen, the extent of the original pool is hard to determine.

The works allowed are:

- Clean out pool, drain and check generally - 2 labourers 10 days \$7,000
- Check walls - Stone Mason 1 day \$600
- Allowance for repairs - say mason 5 days \$3,000
- Repairs to visible stonewalls above water level including pointing – mason say 5 days \$3,000
- Materials say \$1,000

There is a small ongoing allowance for minor repairs every 5 years.

E18 Pruning and Maintenance of Hedges and row plantings

Extensive hedges and rows of trees were planted from the 1980 period and were maintained for some time as managed low plantings. They are now mature and require considerable pruning, maintaining and in some cases removal. To retain the hedging as hedges they require regular maintenance.

The allowance is to undertake pruning and associated maintenance to all the hedging and row plantings around the estate. The budget cost provides for 2 gardeners for 6 weeks spread out throughout the year plus an allowance for equipment (tools, fuel, etc) of \$5,000 on an annual basis.

E19 Repair of Tennis court

The budget is based on preliminary quotes for the reinstatement of the loam tennis court surface to the existing court area. It does not include items such as fencing which are not recommended.

The ongoing cost is for general court maintenance.

E20 Repair of 1840 stone wall to rear of house.

A section of the early stone walling has collapsed due to invasive plant growth and requires reconstruction. The area also had a stone capping added in the 1980s. The work is to remove the capping and provide a new pointed top surface to the wall and to rebuild the collapsed section of stonework to match. The full extent of the early wall is to be checked and pointing and minor repairs undertaken as required.

E21 Winery Stabilisation.

Allow to:

- clean out the building interior and surrounding area of undergrowth and debris
- cap the walls with mortar to shed water and seal the upper surface
- clean the walls and point cracks and failed joints.

The budget is \$4,000 allowing a labourer for 20 hours and a stonemason for 5 days.

E22 Entry Gates

Allowance to reconstruct the two timber driveway gates.

E23 Former Slab Cottage

Allowance (based on quote) to prepare a research plan for the investigation of the former slab cottage in the eastern precinct.

E24 Remove section of stone fence and interim fencing to open up view of house from entry driveway.

This item may take place and needs to be further considered after thinning of landscape. The intent is to provide a view to the house from the entry drive near the stone bridges as this view has been lost with the construction of the wall.

E25 Remove selected trees from the central estate

An allowance to progressively remove trees from the central precinct to recover views. Thinning is to take place based on detailed visual analysis.

This is an ongoing cost item, however it is anticipated that the work would be complete within 5 years.

E26 Pecan Grove Maintenance

Allowance for regular mowing of the orchard and annual pruning and maintenance of trees.

This is an annual cost item.

E27 House Drainage

If the investigation of the basement drainage requires external drainage, the allowance is to provide a drain within the lawn area at the depth of the basement floor, connected to stormwater to remove water from the ground around the basement area. As the basement walls are stone and extend full depth of the basement, the drainage line can be located at a distance of around 1.5 metres from the wall.

This is a once off cost item.

FERNHILL, MULGOA - TABLE 2 - BUILDING CONSERVATION AND MAINTENANCE COSTS OVER A 20 YEAR TIME FRAME

Note that the item numbers and descriptions are those used in the 2010 cost plan for the works and need to be read in conjunction with that document

	Item/Year	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	
1	General Cleaning and remove vegetation	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	
2	Repair ground floor slab		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00		\$6,000.00	
3	Termite management	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	
4	Sandstone dormer columns			\$1,750.00			\$1,750.00			\$1,750.00			\$1,750.00			\$1,750.00			\$1,750.00			
5	Pest and Paint protection of Timber circular columns			\$765.00			\$765.00			\$765.00			\$765.00			\$765.00			\$765.00			
6	Pest and Paint protection of Timber columns			\$1,955.00			\$1,955.00			\$1,955.00			\$1,955.00			\$1,955.00			\$1,955.00			
7	Repairs ground floor over basement	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	
8	Internal sandstone stair (B.10)	\$200.00				\$200.00					\$200.00					\$200.00					\$200.00	
9	Internal sandstone stair (B.01)	\$200.00				\$200.00					\$200.00					\$200.00					\$200.00	
10	External sandstone stair (G.35)	\$0.00																				
11	External sandstone stair (G.38)	\$0.00																				
12	Remove leaf build up and prevention of water penetration		\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	\$4,660.00	
13	Replace roof tiles where lost or damaged		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00		\$1,553.00	
14	Repair timber fascia where required		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00		\$1,475.00	
15	Repair soffit to existing awnings		\$9,520.00					\$9,520.00					\$9,520.00					\$9,520.00				
16	Repair/clean gutter as required		\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	\$2,837.00	
17	Repair/clean downpipes as required		\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	\$700.00	
18	Repair/repoint sandstone wall as required					\$10,751.00					\$10,751.00					\$10,751.00					\$10,751.00	
19	Repainting of existing windows				\$3,800.00					\$3,800.00					\$3,800.00					\$3,800.00		
20	Maintain existing doors including paint protection- basement				\$320.00					\$320.00					\$320.00					\$320.00		
21	Maintain existing doors including paint protection- ground floor				\$8,640.00					\$8,640.00					\$8,640.00					\$8,640.00		
22	Repainting existing timber blind door shutter and mirror repair				\$8,240.00					\$8,240.00					\$8,240.00					\$8,240.00		
23	Maintain sandstone wall including repair and repointing	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	\$270.00	
24	Repair existing wall where required	\$3,250.00				\$3,250.00					\$3,250.00					\$3,250.00					\$3,250.00	
25	Timber screen to stable	\$144.00					\$144.00					\$144.00					\$144.00					
26	Maintain existing internal doors including paint protection- basement	\$1,440.00					\$1,440.00					\$1,440.00					\$1,440.00					
27	Maintain existing internal doors including paint protection- ground floor	\$5,360.00					\$5,360.00					\$5,360.00					\$5,360.00					

28	Rendered and Paint finish to walls - Clean/repaint	\$9,136.00					\$9,136.00					\$9,136.00					\$9,136.00					
29	Fabric wall panel	\$0.00					\$0.00					\$0.00					\$0.00					
30	Sandstone walls	\$0.00					\$0.00					\$0.00					\$0.00					
31	Timber wall panel	\$480.00					\$480.00					\$480.00					\$480.00					
32	Marble tiling to walls	\$0.00					\$0.00					\$0.00					\$0.00					
33	Timber flooring-basement	\$1,552.00			\$1,552.00		\$1,552.00			\$1,552.00			\$1,552.00			\$1,552.00			\$1,552.00		\$1,552.00	
34	Timber flooring- ground floor	\$1,568.00			\$1,568.00		\$1,568.00			\$1,568.00			\$1,568.00			\$1,568.00			\$1,568.00		\$1,568.00	
35	Sandstone flooring-basement	\$2,450.00			\$2,450.00		\$2,450.00			\$2,450.00			\$2,450.00			\$2,450.00			\$2,450.00		\$2,450.00	
36	Sandstone flooring-ground floor	\$2,578.00			\$2,578.00		\$2,578.00			\$2,578.00			\$2,578.00			\$2,578.00			\$2,578.00		\$2,578.00	
37	Timber skirting 100-150h- prepare and paint		\$917.00				\$917.00					\$917.00					\$917.00					
38	Timber skirting 530h-prepare and protective coating		\$2,844.00				\$2,844.00					\$2,844.00					\$2,844.00					
39	Sandstone ceiling-basement			\$2,000.00			\$2,000.00			\$2,000.00			\$2,000.00			\$2,000.00			\$2,000.00			
40	Plasterboard ceiling lining - ground floor				\$6,162.00					\$6,162.00						\$6,162.00					\$6,162.00	
41	Timber roof frame-ground floor				\$1,901.00					\$1,901.00						\$1,901.00					\$1,901.00	
42	Fitments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
43	Non measured allowed	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00	\$2,172.00
44	Hydraulic connection - repairs as required	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
45	stormwater disposal-repair as required	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
46	Ventilation and chimney	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00	\$1,800.00
47	Airconditioning	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
48	Fire-protection installation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
49	Monitor current power system and circuit breakers	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
50	External light fittings - replace bulbs where required	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
51	Sandstone finish to porch (G.37)	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00	\$1,379.00
52	Sandstone finish in porch - former stable	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00	\$828.00
53	Sandstone floor finish in courtyard	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00	\$1,518.00
Year Total		\$45,525.00	\$47,673.00	\$31,834.00	\$63,540.00	\$63,540.00	\$57,422.00	\$46,793.00	\$34,392.00	\$52,834.00	\$65,004.00	\$65,004.00	\$54,143.00	\$33,512.00	\$55,392.00	\$54,298.00	\$59,100.00	\$38,645.00	\$40,862.00	\$54,512.00	\$56,856.00	
	Contingency say 15%	\$6,828.75	\$7,150.95	\$4,775.10	\$9,531.00	\$9,531.00	\$8,613.30	\$7,018.95	\$5,158.80	\$7,925.10	\$9,750.60	\$9,750.60	\$8,121.45	\$5,026.80	\$8,308.80	\$8,144.70	\$8,865.00	\$5,796.75	\$6,129.30	\$8,176.80	\$8,528.40	
	Indexing from 2010-2013 say 6%	\$2,750.00	\$2,850.00	\$1,900.00	\$3,800.00	\$3,800.00	\$3,450.00	\$2,800.00	\$2,000.00	\$3,200.00	\$3,900.00	\$3,900.00	\$3,250.00	\$2,000.00	\$3,350.00	\$3,250.00	\$3,550.00	\$2,300.00	\$2,450.00	\$3,300.00	\$3,400.00	
	Consultants etc. say 10%	\$4,552.50	\$4,767.30	\$3,183.40	\$6,354.00	\$6,354.00	\$5,742.20	\$4,679.30	\$3,439.20	\$5,283.40	\$6,500.40	\$6,500.40	\$5,414.30	\$3,351.20	\$5,539.20	\$5,429.80	\$5,910.00	\$3,864.50	\$4,086.20	\$5,451.20	\$5,685.60	
	Sub-Total	\$14,131.25	\$14,768.25	\$9,858.50	\$19,685.00	\$19,685.00	\$17,805.50	\$14,498.25	\$10,598.00	\$16,408.50	\$20,151.00	\$20,151.00	\$16,785.75	\$10,378.00	\$17,198.00	\$16,824.50	\$18,325.00	\$11,961.25	\$12,665.50	\$16,928.00	\$17,614.00	
	Total	\$59,656.25	\$62,441.25	\$41,692.50	\$83,225.00	\$83,225.00	\$75,227.50	\$61,291.25	\$44,990.00	\$69,242.50	\$85,155.00	\$85,155.00	\$70,928.75	\$43,890.00	\$72,590.00	\$71,122.50	\$77,425.00	\$50,606.25	\$53,527.50	\$71,440.00	\$74,470.00	\$1,337,301.25
	Average cost per year over 20 years	\$66,865.06																				