

HERITAGE IMPACT STATEMENT



Rogan Hill Park
1020 Melia Court, Castle Hill

January 2024 | J6435

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1.0 INTRODUCTION

1.1 Preamble

This Heritage Impact Statement (HIS) has been prepared to accompany a Planning Proposal for the rezoning of a site at No. 1020 Melia Court, Castle Hill, New South Wales from C4 Environmental Living to R3 Medium Density Residential, R4 High Density Residential, C2 Environmental Conservation and RE1 Public Recreation.

The proposal provides for a mix of low and medium density residential buildings and includes a new public park, a series of open spaces and public domain upgrades as follows:

- A publicly accessible park, Rogans Hill Park, that is designed to provide a natural play area and outdoor fitness opportunities.
- Six (6) residential flat buildings, with heights ranging from three (3) storeys to six (6) storeys, containing one hundred and forty-seven (147) units.
- Thirty-eight (38) terraces, each of two (2) and three (3) storeys.
- A series of connected biodiversity corridors connecting the existing Blue Gum High Forest and WSUD infrastructure that provide new opportunities for habitat for local flora and fauna.
- A central loop road to enhance accessibility and circulation to each public and communal space.

The site is located within The Hills Council area. The principal environmental planning instrument for the site is *The Hills Local Environmental Plan 2019 (LEP 2019)*.

The site is not subject to any statutory heritage listings. It does, however, lie within the vicinity of several heritage items listed by Schedule 5 Part 1 of the *LEP 2019*. Under the provisions of Part 5.10 of the *LEP 2010*:

(4) Effect of proposed development on heritage significance.

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment The consent authority may, before granting consent to any development—

- (a) on land on which a heritage item is located, or
- (b) on land that is within a heritage conservation area, or
- (c) on land that is within the vicinity of land referred to in paragraph (a) or (b) require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

The most appropriate heritage management document in this instance is a Heritage Impact Statement (HIS).

This statement has been prepared at the request of the owners of the site and accompanies plans prepared by DKO Architecture (NSW) Pty Ltd and others.

1.2 Authorship

This HIS has been prepared by Alice Fuller, B.Appl.Sc.(CCM), M.Herit.Cons.(Hons.) and James Phillips, B.Sc.(Arch.), B.Arch., M.Herit.Cons.(Hons.), of Weir Phillips Heritage and Planning.

1.3 Limitations

A detailed history and assessment of the heritage items in the vicinity of the site was not provided for. The information provided by the State Heritage Inventory listing sheets and other readily available sources was relied upon. The heritage items were viewed from the public domain only.

Given that the site is not heritage listed, a history and assessment of the site was not part of the brief for this statement.

An archaeological assessment was not part of the brief for this statement.

1.4 Methodology

This assessment has been prepared with reference to the *NSW Heritage Manual Assessing Heritage Significance* (update 2001) and *Statements of Heritage Impact* (update 2012), prepared by the predecessors of NSW Heritage.

1.4.1 Physical Evidence

A site visit was constructed in August 2023. Unless otherwise stated, the photographs contained in this assessment were taken by the authors on this occasion.

1.4.2 Documentary Evidence

1.4.2.1 Historic Plans and Photographs

- *(Aerial photograph over Castle Hill)*, 1943, 1970 and 2004. SIX Maps; Portial.spatial.nsw.gov.au.

1.4.2.2 Heritage Listing Sheets

- *Dunrath*, No. 139 Castle Hill Road, West Pennant Hills. The Hills Shire Inventory Sheet No. I198.
- *Fairholme*, No. 157 Castle Hill Road, Castle Hill. The Hills Shire Inventory Sheet No. I48.
- *Gate and Posts*, No. 36 Melia Court, Castle Hill. The Hills Shire Heritage Inventory Sheet No. I54.
- *Mowll Memorial Village: Lober House*, No. 284 Castle Hill Road, Castle Hill. State Heritage Inventory Heritage Item ID: 1780517.
- *Pine Ridge*, No. 19 Doris Hirst Place, West Pennant Hills. The Hills Shire Heritage Inventory Sheet I200.

1.4.2.3 Other

- Wood, Robin, *Brief History of ARV/Anglicare Castle Hill Estate*, October 2019. <https://www.jstor.org/stable/community.31982615?seq=1>.

1.4.2.4 Planning Documents

- *The Hills Local Environmental Plan 2019*.
- *Hornsby Local Environmental Plan 2013*.

1.5 Site Location

The site is located on the southern side of Melia Court, Castle Hill, New South Wales (Figure 1). The site comprises three lots, identified as Lots 1020 and 1021 D.P. 876671 and Lot 2 D.P. 576773.

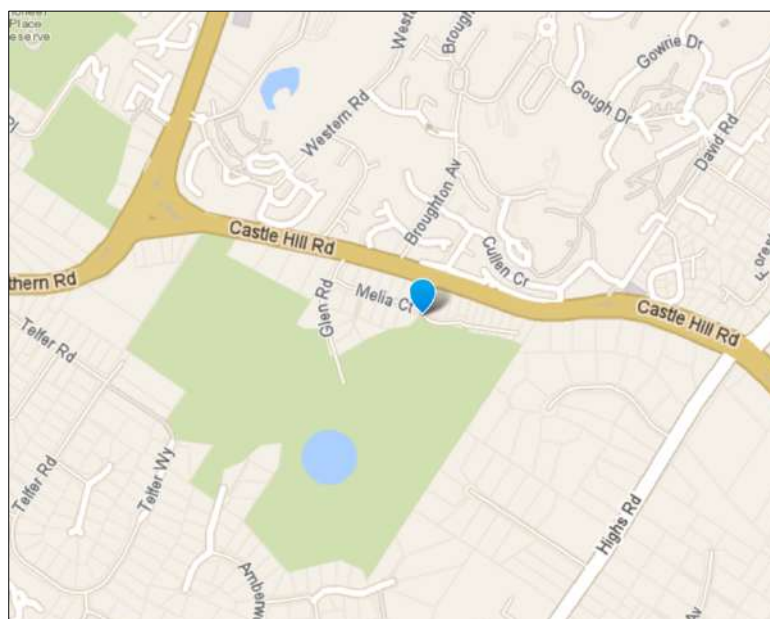


Figure 1: Site Location.

Whereis.

Figure 2 below identifies the lots comprising the site and provides an aerial photograph over it.



Figure 2: The lots comprising the site.

SIX Maps; lot boundaries and numbers added by WP Heritage and Planning.

2.0 THE SITE

2.1 Summary of Statutory Heritage Listings

The site is:

- Not listed on the Commonwealth or National Heritage Registers under the *Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act)*.
- Not listed by the State Heritage Register under the *NSW Heritage Act 1977*.
- Not listed as a heritage item by Schedule 5 Part 1 of *The Hills LEP 2019*.
- Not located within a Conservation Area defined by Schedule 5 Part 2 of *The Hills LEP 2019*.
- Not listed as an archaeological site by Schedule 5 Part 3 of *The Hills LEP 2019*.
- Not listed by any non-statutory heritage registers.

2.2 Site Description

For the following refer to the aerial photograph Figure 2 above and to the survey that accompanies this application.

The site is irregular in shape and comprises three large lots. The northern-most lot, Lot 1020 D.P. 876671, is 9,749sqm in size. The central lot, Lot 1021 D.P. 876671, is 2.006ha in size and the southern-most lot, Lot 2 D.P. 576773, is 1.526ha in size. Part of the northern frontage is formed by the southern side of Melia Court. A small part of the western boundary adjoins Glen Road, from which the site is accessed. The remainder of this boundary joins the Rogans Hill Water Reservoir.

As detailed by the survey that accompanies this application, the land falls sharply to the south at the northern most end of the site (Lot 1020) and more gently to the south over the central and southern part of the site. The total fall is around 65m.

Fencing around the site varies and includes a stone block retaining wall along part of the northern boundary, metal and wire fencing and Colorbond fencing.

There are no built structures on the site. Vegetation on the site is identified in detail in the Arboricultural Impact Assessment prepared by H2O Consulting Group that accompanies this application. Within the site, there is denser vegetation on the north and southern parts of the site, with a central clearing. The Arboricultural Assessment identifies various canopy forming species with locally occurring native vegetation and exotic species. Tree types include Sydney Blue Gum (up to 32m in height), Black Wattle (up to 16m in height), Camphor Laurel (up to 25m in height), Brush Box (up to 18m in height), Hickory Wattle (up to 12m in height), Native Daphne (up to 14m in height) and Coral Trees (up to 20m in height).

There is an existing approval (1089/2006/ZA) for a 23 lot community title subdivision on the site (approximately 1,000sqm per lot).

Figures 3 to 12 illustrate the site. Refer also to Figure 2 above.



Figure 3:
Entrance into the site
from Glen Road.



Figure 4:
Looking east across the
site from near the
entrance from Glen
Road.



Figure 5 and Figure 6: Looking north within the site towards Melia Court.



Figure 7:
Looking
towards the
north eastern
corner of the
site.



Figure 8:
Eastern
boundary of the
site, looking
towards
dwellings
fronting Doris
Hirst Place.



Figure 9:
Toward the
northern end
of the eastern
boundary
showing
dwellings
fronting Doris
Hurst Place
and Castle
Hill Road.



Figure 10:
Looking south
along the eastern
boundary from
near where
Figure 9 was
taken.



Figure 11:
General view
south within the
site.



Figure 12:
View west across
the site towards
Glen Road.

2.3 Setting of the Site

For the following, refer to Figure 13, an aerial photograph over the site and the surrounding area, and Figure 14, a detail from *The Hills LEP 2019*, showing the different zonings within the surrounding area. The aerial photograph illustrates the character of the existing setting of the site. The zoning plan illustrates the desired future character.



Figure 13: Aerial photograph over the site, which is coloured yellow and outlined in red.

SIX Maps.

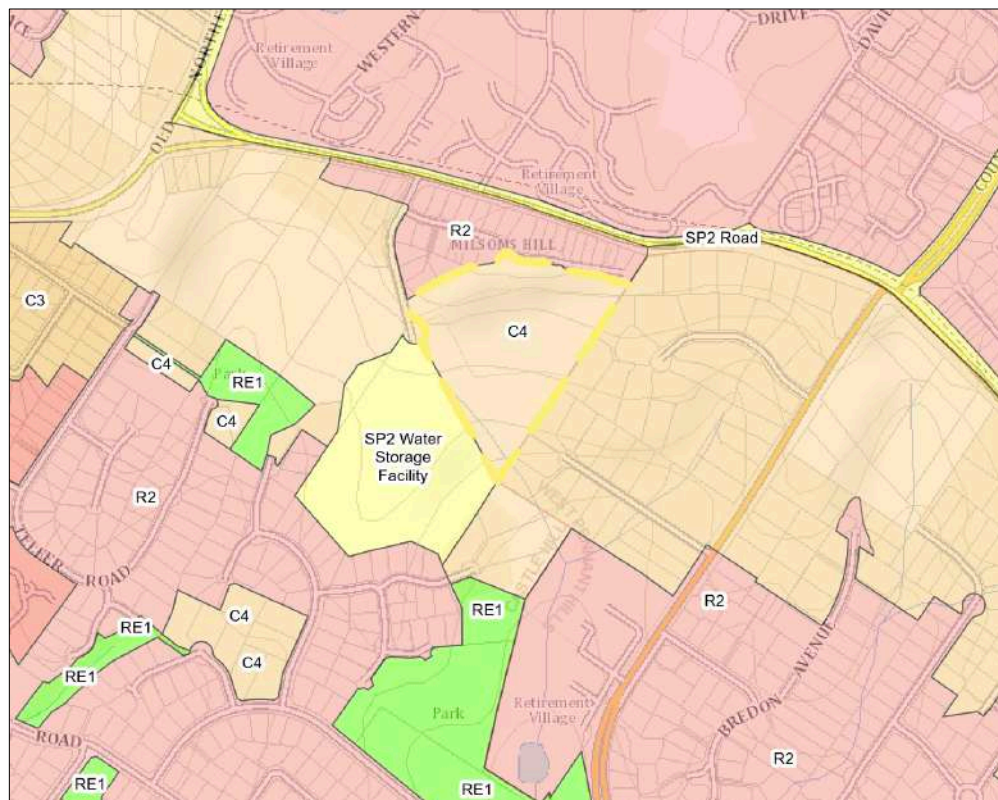


Figure 14: Detail of the Zoning Plan for the surrounding area. The subject site is outlined in yellow.

NSW Planning Portal.

The area to the **north** of the site is zoned R2 Low Density Residential.

To the immediate north of the site lies Melia Court. The street lies high above the level of most of the site. As illustrated by Figures 5 and 6 above, Melia Court is not visible from within the site. The street travels in a generally eastern direction from its entrance off Glen Road in the west and ends in a cul-de-sac. The street has gentle curves, preventing long vistas along it. It is narrow and gently rises to the east before levelling. There is concrete guttering and narrow nature strips to either side. The northern side of the street is characterised by large free standing predominately two storey dwellings erected c.1990s and later. Side setbacks are relatively narrow, with planting mostly located to the front and rear. There are no front fences. The predominately construction materials are brick or rendered masonry with hipped and gabled tiled roofs.

There are few blocks on the southern side of Melia Court and only at its western most end. The fall of the land from Melia Court as it passes across the front of the site becomes too steep. The nature strip narrows and there is a metal guard rail and metal fencing above the drop to the site. There are extensive views south across the site towards West Pennant Hills.

Refer to Figures 15 and 16.



Figure 15:
Typical housing at
the eastern end of
Melia Court.



Figure 16:
View from Melia
Court over the site
to the south.

The area to the **east** of the site is zoned C4 Environmental Living, which provides for low-impact residential development in areas with special ecological, scientific or aesthetic values.

To the immediate **east**, the site borders properties fronting Doris Hirst Place and Hoop Pine Place, cul-de-sacs that are entered from Highs Roads to the east. Doris Hirst Place is wider than Melia Court and gently curving with concrete guttering and narrow nature strips to either side. The dwellings are larger and stand on larger lots than those in Melia Court. They date from c.1990s and later. Those of the northern side of the street are located on land that rises to the north. The dwellings backing onto the subject site are one and two storeys in height. Hoop Pine Place is narrow and falls from Highs Road before rising and levelling out. It is characterised by two storey post 1990s dwellings. The trees on the subject site and on the Rogans Hill Water Reservoir form part of the setting of this street.

Refer to Figure 17 below and to Figures 8 to 10 above, which show views to the east from within the site.



Figure 17:
Typical houses
at the western
end of Doris
Hirst Place.

To area to the **south** of the site is subject to mixed zonings including C4 Environmental Living, R2 Low Density Residential and RE1. Development is residential in character and one and two storey in scale with areas of dense vegetation. Refer to the aerial photograph Figure 13 above.

To the **west** of the site lies the Rogan Hill Water Reserve, zoned SP2 Water Storage Facility. This is a well vegetated site with a water infrastructure, including a large, raised tank, that falls to the south. Refer to Figure 13 above and Figure 18 below.



Figure 18:
Water
Reserve to the
west of the
site.

3.0 HERITAGE ITEMS IN THE VICINITY OF THE SITE

3.1 Identifying Heritage Items in the Vicinity of the Site

For the following, 'in the vicinity' has been determined with reference to physical proximity to the site, existing and potential view corridors and the nature of the proposed works.

There are no heritage items/conservation area listed by the State Heritage Register or a 170 Register under the *NSW Heritage Act 1977* within the vicinity of the site.

For the following, refer to Figure 19, which shows the location of heritage items and conservation areas adjoining and within the vicinity of the site listed by this plan. The site lies close to boundary between The Hills Shire and Hornsby Shire. Any heritage items listed by Hornsby Council in the vicinity of the site must be taken into consideration.

In Figure 19, heritage items and conservation areas listed by Schedule 5 Parts 1 and 2 of *The Hills LEP 2019* and Schedule 5 Parts 1 and 2 of the *Hornsby Local Environmental Plan 2013 (LEP 2013)* are coloured brown and numbered. The subject site is outlined in blue. The numbers relate to Table 1 below.

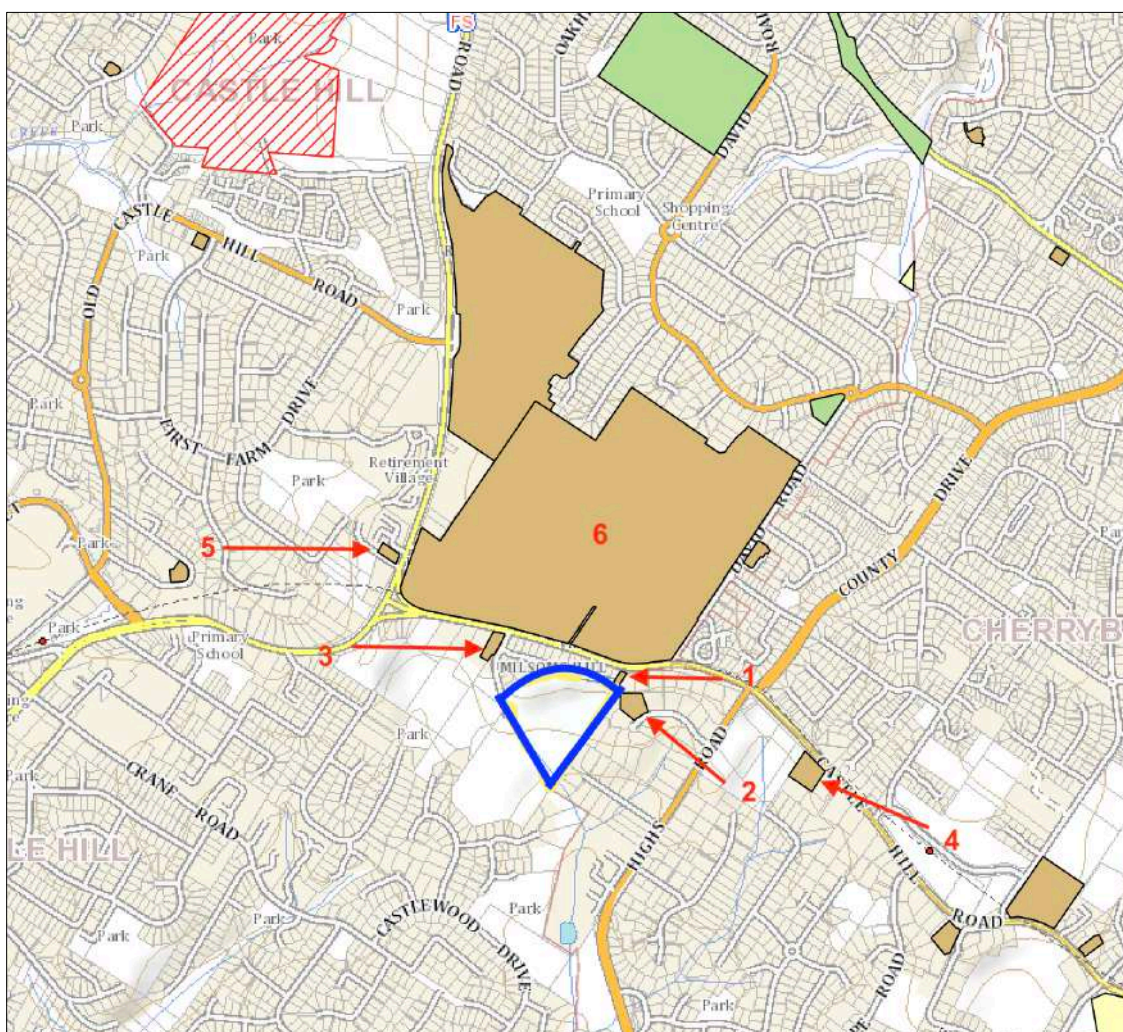


Figure 19: Identifying Heritage Items in the Vicinity of the Site.

NSW Planning Portal; annotations by WP Heritage and Planning.

The following heritage items lie within the immediate vicinity of the site. All these items have local significance.

No. in Fig.10	Item	Address	Curtilage	LEP Listing No.
<i>The Hills LEP 2009</i>				
1	<i>Gate and Gate Posts</i>	Melia Court, Castle Hill	Lot 2010, DP 879431	I54
2	<i>Pine Ridge</i>	19 Doris Hirst Place, West Pennant Hills	Lot 1, DP 1037463	I200
3	<i>Fairholme</i>	157 Castle Hill Road, Castle Hill	Lots 1 and 2, DP 135921; Lot A, DP 329990	I48
4	<i>Dunrath</i>	139 Castle Hill Road, West Pennant Hills	Lot 1, DP 220867	I198

No. in Fig.10	Item	Address	Curtilage	LEP Listing No.
5	House	340 Old Northern Road, Castle Hill	Lot 11, DP 1075777	165
Hornsby LEP 2013				
6	Mowll Village group including "Lober House", "Tower House", "Gate House" entry gates, dairy, stables and grounds	284, 296, 300–302 and 304 Castle Hill Road and 146–200 David Road, Castle Hill	Lots A and B, DP 410898; Lot 1, DP 654242; Lot 2, DP 309991; Lot D, DP 369584; Lot 10, DP 135926; Lot 2005, DP 1088072; Lot 1, DP 177433; Lots C and E, DP 369584; Lots 72–74, DP 1067989	1255

Table 1: Heritage Items in the Immediate Vicinity of the Site.

These items are identified in greater detail below.

3.2 Heritage Items in the Vicinity of the Site Listed by Schedule 5 Part 1 of *The Hills LEP 2009*

3.2.1 Gates and Gate Post, Melia Court, Castle Hill

3.2.1.1 History

The Hills Shire Heritage Inventory sheet for this item provides the following history for it:

'The 100 acres of land was originally granted to John Rogan (portion 35) and to John Tonks (portion 36) straddling Castle Hill Road. The part of the portion south of Castle Hill Road was bought in December 1872 by William Henry Smith, who built a cottage with a paling fence near the road on the western side of portion 36. The gates probably lead to his house, the only building on the entire two portions. On Smith's death in 1904, the property was divided among his four children, the section with the cottage on going to Edith. After the Sargeants sold Gathowen in 1921, they owned Smiths land for some time. It is not known when WH Smith (sic) cottage was demolished.'¹

The date of construction is given as c.1873-1883.

3.2.1.2 Description

The Hills Shire Heritage Inventory sheet describes this item as follows:

'Four terra cotta brick gate posts with decorative terra cotta capitals and central roundel. Cast iron gates and palisade fence with wrought iron decoration. Post and fence/gates have unified design. Entrance gates are

¹ *Gate and Posts*, No. 36 Melia Court, Castle Hill. The Hills Shire Heritage Inventory Sheet No. 154.

also associated with coral trees fronting Castle Hill Road Boundary and probably lined the driveway.²

The gates stand on the Castle Hill Road boundary of No. 36 Melia Court. Figure 20 illustrates the gates as they were when a Council Heritage Study was carried out in 1993-1994. The dwelling at No. 36 Melia Court had yet to be built upon and the gates had a semi-rural setting. Since this photograph was taken, the immediately adjacent land has been fully developed for residential purposes. A late 1990s/early 2000s dwelling now lies immediately behind the gates. Over the ensuing years, the gates have been concealed from the Castle Hill Road by vegetation. Refer to Figure 21.



Figure 20:
The heritage
listed gates in
1993-4.
The Hills Shire
Inventory
Sheet.



Figure 21:
The heritage
listed gates
from Castle
Hill Road
today.
Google Maps,
April 2022.

3.2.1.3 The Setting

The purpose of this section is to provide an understanding of how the setting of this item (and the other items identified in Table 1) has changed over time and how it is likely to continue to change.

The items identified above all date from pre-World War II. When they were first constructed, and until this time, they lay within a rural setting. Refer to Figure 22, which

² *Gate and Posts*, No. 36 Melia Court, Castle Hill. The Hills Shire Heritage Inventory Sheet No. 154.

identifies each of the items in the vicinity of the site within an aerial photograph taken in 1943. The subject site is outlined in red and coloured yellow.



Figure 22: Aerial photograph over the site and heritage items in its vicinity in 1943. The site is shaded yellow. Heritage items are identified by the red arrows and numbers, which relate to Table 1 above.

SIX Maps; WP Heritage and Planning.

By the 1970s, suburbanisation was beginning to impact upon the setting of these items. Refer to Figure 23. The development of Mowll Village, for example, had begun, transforming the immediate setting of the rural mansion, now *Lober House* (Item No. 6 in Table 1 and Figure 22. See Section 3.2.6 below).



Figure 23: Aerial photograph over the site and heritage items in its vicinity in 1970. The site is circle. Heritage items are identified by the red arrows and numbers, which relate to Table 1 above.

Portial.spatial.nsw.gov.au; annotation by WP Heritage and Planning.

Within thirty years, the setting of the heritage items identified in Table 1 had been completely transformed. Each now lay within a largely urbanised setting. Refer to Figure 24, an aerial photograph dated 2004.



Figure 24: Aerial photograph over the site and heritage items in its vicinity in 2004. The site is circle. Heritage items are identified by the red arrows and numbers, which relate to Table 1 above.

Portial.spatial.nsw.gov.au; annotation by WP Heritage and Planning.

The gates are now solely read from Castle Hill Road, which is a busy four lane road. They are read in a context of high fences, with or without screening vegetation, and substantial two storey c.1990s and later housing. There is no surviving understanding of their original rural setting. Refer to Section 2.3 above for photographs of the present-day setting of this item.

3.2.1.4 View Corridors

The heritage listed gates are now only visible from Castle Hill Road. Once visible on approach when standing at a wide angle, they are currently almost completely concealed by vegetation. There are no view corridors towards this item that include the subject site.

3.2.1.5 Integrity

The gates and pillars appear to be in a reasonable state of repair, beneath the concealing vegetation.

3.2.1.6 Significance

The Hills Shire Heritage Inventory sheet provides the following statement of significance for this item:

'Only surviving evidence of consolidation of two early grants (Tonks and Rogan) and their occupation for four decades by members of the Smith family. More curious than significant, they intrigue the passer-by.'³

³ *Gate and Posts*, No. 36 Melia Court, Castle Hill. The Hills Shire Heritage Inventory Sheet No. 154.

3.2.1.7 Curtilage and Relationship to the Site

This item has a lot boundary curtilage.

3.2.1.8 Relationship to the Site

The item has no readily apparent relationship to the subject site.

The land title of the subject site has not been investigated to determine if the gates once lay on part of the same land holding when they were first erected. Even if they were part of the same land parcel, the association would now lie solely in historic land title records. If the subject site once had a visual relationship that the gates, it has been lost by the construction of the dwellings in Melia Court.

There are no view corridors between the gates and the subject site because of distance between the gates and the northern boundary of the site (around 50m), the intervening dwelling on No. 36 Melia Court and the fact that the site lies well below the level of the gates. There are no view corridors towards this item from the public domain that include the subject site.

The site does not inform the significance of this item or make a meaningful contribution to its setting.

3.2.2 *Pine Ridge, 19 Doris Hirst Place, West Pennant Hills*

3.2.2.1 History

The Hills Shire Heritage Inventory provides the following brief history for this item:

'Daniel Buckridge's 50 acres (or 55 acres on later parish maps) grant of 1818 was transferred almost at once, in 1819, to his stepson, Robert Wright, who lived at Pitt Town and who then sold this land in 1826 to John Rafferty. In turn it was sold to James Foulcher in 1833 and then to James du Moulin in 1838 who died soon after. Maize, oats and hay were grown by du Moulin's widow in the 1840s. Her son, James William, a surveyor, inherited in property. After his death in 1854 his heirs were minors and ultimately the property was leased to Robert Allen in 1874. Allen was a younger son of an Irish convict who had died in 1847 after developing a substantial, though very steep, orchard on lot 39 (to the east of Buckridge's grant). This 50 acre grant was divided equally among three brothers. The elder brother built a stone house (which was later removed to Round Corner). Robert may have built another house on his 17 acres. From 1874 until his death in 1884, Robert worked his orchard on Buckridge's grant and his son Robert Bartholomew succeeded to the least. The house probably belonged to this period of leasehold but remained the property of the du Moulin family.'⁴

3.2.2.2 Description

The Hills Shire Heritage Inventory describes this item as follows:

'Large grounds fall steeply from Castle Hill Road with mature trees including huge camphor laurel tree, conifers including a double row of conifers along Castle Hill Road which extends (with interruption) to 157 Castle Hill Road. Terraced gardens of shrubs and small trees, stone walling and steps. Large rambling single storey house sits comfortable in landscape. Double gabled of rusticated boarding with projecting gables to other elevations. Iron roof, brick chimneys, finials to gables and ventilation to roof space, some slender paired windows.

⁴ *Pine Ridge*, No. 19 Doris Hirst Place, West Pennant Hills. The Hills Shire Heritage Inventory Sheet I200.

Modifications: Large bay windows to south, Skillion addition to north, other associated outbuildings and sheds.'

Figure 25 illustrates the item in 1993-4. Sometime after this photograph was taken, the main homestead was demolished and a substantial single storey dwelling built on the site. Refer to Figure 26. A comparison between the 1943 aerial and the current aerial indicates that there are two remnant outbuildings dating from pre-1943 (and likely earlier) in the rear yard. These buildings are not visible from the public domain (i.e., Doris Hirst Place) and are separated and screened from the eastern boundary of the subject site by fencing, vegetation and the rear yard of No. 23 Doris Hirst Place. Figure 8 provides a view across the subject site towards the item.



Figure 25:
The homestead
in 1993-4.
The Hills Shire
Inventory Sheet.



Figure 26:
No. 19 Doris
Hirst Place
today. The
heritage listed
outbuildings
are completely
concealed.

3.2.2.3 The Setting

See Sections 2.3 and 3.2.1.3 above. The immediate setting of the surviving outbuildings is dominated by the large modern dwelling that replaced the original weatherboard homestead and the equally large modern dwellings that lie on adjoining sites.

3.2.2.4 View Corridors

There are no view corridors towards the surviving outbuildings from the public domain.

Given that these are outbuildings, there are unlikely to be significant view corridors from these outbuildings over the subject site, which lies to the west and is separated from them by the rear yard of No. 23 Doris Hirst Place and by fencing and vegetation.

There are no view corridors towards this item that include the subject site.

3.2.2.5 Integrity

The integrity of this item has been significantly reduced by the demolition of the 1870s homestead. The condition of the surviving outbuildings is unknown because they are not visible from the public domain or the site.

3.2.2.6 Significance

The Hills Shire Heritage Inventory provides the following statement of significance for this item:

‘Large grounds and 1870s house evidence of continuing farming and orcharding in the area from early 19th century. Grounds and gardens of aesthetic significance.’⁵

3.2.2.7 Curtilage

This item has a lot boundary curtilage.

3.2.2.8 Relationship with the Site

This item has no readily apparent relationship to the subject site. The boundary of this listing lies 26m to the east of the subject site. The site and this item are separated by fencing and the rear yard of an intervening property.

If the site once had any historic relationships that this item, they now lie solely in historic land title records. There are no significant visual relationships between the surviving outbuildings part of this item and the site.

The site does not inform the significance of this item or make a meaningful contribution to its setting.

3.2.3 Fairholme, 157 Castle Hill Road, Castle Hill

3.2.3.1 History

The Hills Shire Inventory sheet provides the following brief history for this item:

‘House stands on part of a 50 are grant to John Rogan of 1818 that has been subdivided a number of times. House believed to been (sic) built 1979-1900 (sic). Rear addition was constructed in 1965, attic inserted 1969.’⁶

⁵ *Pine Ridge*, No. 19 Doris Hirst Place, West Pennant Hills. The Hills Shire Heritage Inventory Sheet I200.

⁶ *Fairholme*, No. 157 Castle Hill Road, Castle Hill. The Hills Shire Inventory Sheet No. I48.

3.2.3.2 Description

The Hills Shire Heritage Inventory sheet provides the following statement of significance for this item:

'Single storey asymmetrical house of beaded weatherboard with verandah on two sides. Chimney with stepped brickwork. Hipped corrugated roof with projecting gable to front elevation. Plain bargeboards of unknown date, with finial to gable. Projecting gable. Large garden of mature trees pines and camphor laurels. Early gate to Glen Road has square timber posts with roundel caps and arrow head pickets.

Modifications: Additions to rear and attic, attic does not respect the character of the house.'⁷

Refer to Figures 27 to 29.



Figure 27:
The item in
1993-4.
The Hills
Shire
Inventory
Sheet.



Figure 28:
The
heritage
item from
Castle Hill
Road
today.

⁷ *Fairholme*, No. 157 Castle Hill Road, Castle Hill. The Hills Shire Inventory Sheet No. 148.



**Figure 29:
The
heritage
item from
Glen Road.**

3.2.3.3 The Setting

See Section 2.3 above. The setting is free standing one and two storey residential dwellings most dating from the c.1990s and later. A high fence screens the dwelling from Castle Hill Road.

3.2.3.4 View Corridors

The principal view corridors to/from this item are to/from Castle Hill Road to the north. These are largely blocked by high fencing and vegetation. There are secondary view corridors (towards a side elevation of the dwelling) to/from Glen Road. There are no view corridors towards this item that include the subject site.

This item is not visible from the subject site. Without access to the item, it is not possible to determine if any part of the subject site is visible from it. At most, there may be angled views across the subject site, over intervening dwellings, from the first floor of this item.

3.2.3.5 Integrity

As noted in the description above, this item demonstrates mixed integrity and lies on a smaller lot than when first constructed.

3.2.3.6 Significance

The Hills Shire Heritage Inventory listing sheet provides the following statement of significance for this item:

‘Relatively intact Victorian rural cottage representative of small rural lot subdivision around the township of Castle Hill.’⁸

3.2.3.7 Curtilage and Relationship to the Site

This item has a lot boundary curtilage.

⁸ *Fairholme*, No. 157 Castle Hill Road, Castle Hill. The Hills Shire Inventory Sheet No. 148.

3.2.3.8 Relationship to the Site

This item is separated from the subject site by around 100m and lies above it. There are no readily apparent relationships between the subject site and this item. If the site once had any historic relationships with this item, they now lie solely in historic land title records. There do not appear to be any significant visual relationships between this item and the site.

The site does not inform the significance of this item or make a direct contribution to its setting. The site is not visible in view corridors towards it or that include it from the public domain.

3.2.4 Dunrath, 139 Castle Hill Road, West Pennant Hills

3.2.4.1 History

The Hills Shire Heritage Inventory listing sheet for this site provides the following brief history for this item:

‘Building material came from Llandudno, a house constructed in Bellevue Hill c1850. The house was purchased by Captain Francis De Groot in 1939 demolished and the materials use to build Dunrath at West Pennant Hills. It was named after his birthplace in Ireland. In 1963 the house was purchased by Sir William Dobell who lived there for only one year, but owned the house until 1970. The house was subject to decay and vandalism but has now been renovated.’⁹

3.2.4.2 Description

The Hills Shire Heritage Inventory provides the following description of this item:

‘Large single storey stone residence with Victorian style gables. Unusual windows and doors of generous proportions but with small panes possibly from another demolition site. U-shaped attic in the projecting wings at the front.

Modifications: Additions to the rear, stone pool cabana, 3 car stone garage.’¹⁰

Refer to Figures 30 and 31.

⁹ *Dunrath*, No. 139 Castle Hill Road, West Pennant Hills. The Hills Shire Inventory Sheet No. I198.

¹⁰ *Ibid.*



Figure 30:
The
heritage
item in
1993-4.
The Hills
Shire
Inventory
Sheet.



Figure 31:
The site
from
Castle Hill
Road
today.
Google
Maps.

3.2.4.3 The Setting

See Section 2.3 above. The setting is one and two storey dwellings and is dominated by Castle Hill Road.

3.2.4.4 View Corridors

Hedging almost completely conceals this item from Castle Hill Road. There are glimpses of the dwelling above the hedge. The stone garage is visible from directly outside of the driveway. The site is not visible from any other place within the public domain.

Without access to the item, it is not possible to determine where the significant view corridors out of it are. It could well have views south over adjoining dwellings. The subject site is located to the south west of this item, at a distance of 520m. If visible, the view would be of a site at a lower level and over large well established one and two storey dwellings.

There are no view corridors towards this item that include the subject site.

3.2.4.5 Integrity

The integrity of this item is unknown.

3.2.4.6 Significance

The Hills Shire Heritage Inventory provides the following statement of significance for this item:

'Of historic significance for its association with de Groot and Dobell and for its demonstration of reuse of valuable building materials at a time when building materials were scarce.'¹¹

3.2.4.7 Curtilage

This item has a lot boundary curtilage.

3.2.4.8 Relationship to the Site

This item is well removed from the subject site. If there are view corridors out of the item over the site, they are distant ones. The subject site does not inform the significance of this item or make a significant contribution to its immediate setting.

3.2.5 House, 340 Old Northern Road, Castle Hill

A site visit (August 2023) has confirmed that this site is sufficiently separated by distance, roads and topography for works of the proposed nature to have no impact upon its setting or significant view corridors. It is not further considered for the purposes of this statement.

The subject site does not inform the significance of this item or make a significant contribution to its immediate setting.

3.3 Heritage Items in the Vicinity of the Site Listed by Schedule 5 Part 1 of the *Hornsby LEP 2013*

3.3.1 Mowll Village group, 284, 296, 300–302 and 304 Castle Hill Road and 146–200 David Road

3.3.1.1 History

The State Heritage Inventory listing sheet for the site provides the following brief history for this item:

'Built for Robert Craig Dixon in 1925-6 on a holding of 117 acres. In 1958 *Elwatan* and six cottages on the property were sold by the Dixon family to the Anglican Retirement Villages. They are now part of the Mowll Memorial Village. The wrought iron gates and stone fence at the entrance to Castle Hill Road were moved from 'Abergeldie' after the death of Sir Hugh Dixon in 1926.'¹²

The following additional information is provided from other sources:

The site originally formed part of the third Government Farm created in the 1790s. During the early 1900s, Robert Dixon, and later his wife Eva (Holland) purchased 117 acres and established a working farm. The property was managed by a farm manager who lived on site; the Dixons visited on weekends, staying in another cottage close by on David Road.

¹¹ *Dunrath*, No. 139 Castle Hill Road, West Pennant Hills. The Hills Shire Inventory Sheet No. I198.

¹² *Mowll Memorial Village: Lober House*, No. 284 Castle Hill Road, Castle Hill. State Heritage Inventory Heritage Item ID: 1780517.

In 1926, the Dixons commissioned architect B.J. Waterhouse to design a grand family mansion in the Georgian and Italianate Mediterranean Styles, which they called 'Elwatan,' meaning 'place of living.' The mansion was built to address the then extensive views towards the surrounding countryside. By this time, several other buildings had been erected on the site for ancillary functions and for live in staff, including garages, a gate keeper's lodge, a tower house built to contain a large water tank and a generator, and numerous farm buildings. The staff cottages were designed by J.F. Munnings in designs reminiscent of cottages for the new Federal capital in Canberra. The mansion had a walled kitchen garden and a more extensive walled pleasure garden, which included plantings provided by Robert's uncle William Dixon, a great collector and horticulturalist who is commemorated by the Dixon Reading Room at the State Library of NSW. There was also an orchard. The stone gate posts were brought from the family home 'Abergeldie' at Summer Hill and re-entrance to the driveway, now of Broughton Avenue. The Dixon family is regarded as one of most prominent pioneering families in the district.

In 1958, the Anglican Church purchased the main residence and six cottages on 117 acres for £75,000. Part of the funds were raised by a donation from Mr. and Mrs. W.H. Lober, who are honoured in the renaming of Elwatan to Lober House.' The Lobers had been a driving force behind the project. The property was purchased to provide housing for aged clergy and church workers. The official opening occurred on 24 October, 1959. Intensive development followed on the site in the 1960s and early 1970s during which time the Government partially funded works with grants of £2 for every £1 spent by the Church.

The whole site was initially known as Mowll Memorial Village after Archbishop Mowll. There are now six villages on the site, progressively opened in the 1960s and 1970s. There are currently five residential care facilities. Major works have been carried out on the site since 2010, including the restoration of the four heritage buildings on the site- the Tower House and Annexe, Pine Lodge and Lober House.¹³

3.3.1.2 Description

The State Heritage Inventory listing sheet describes the item as follows:

'(Lober House): Late Federation style mansion. Face brick walls. Several wings with complex hipped terracotta tile roof. Dormers. Tall brick chimneys with terracotta pots. Boxed eaves. Multi-pane double-hung windows. Brick round arch arcade to entry. Deep vaulted verandahs. Interior features timber wall panelling patterned plaster or timbered ceilings. A number of outbuildings including Gate House. Front driveway with fountain. Wrought iron gates and stone fence.'¹⁴

Refer to Figures 32 to 34, which illustrate the front gates on Castle Hill Road, Lober House and the closest of the outbuildings to the subject site.

¹³ Information from Robin Wood (ARV Historian and Archivist), *Brief History of ARV/Anglicare Castle Hill Estate*, October 2019. <https://www.jstor.org/stable/community.31982615?seq=1>.

¹⁴ *Mowll Memorial Village: Lober House*, No. 284 Castle Hill Road, Castle Hill. State Heritage Inventory Heritage Item ID: 1780517.



Figure 32:
Gates on Castle Hill
Road.



Figure 33:
Lober House.



Figure 34:
Heritage significant
outbuilding closest
to the subject site,
off the main
driveway into the
site from Castle Hill
Road.

3.3.1.3 The Setting

The heritage significant buildings on the site are surrounded predominately by one and two storey dwellings set within well landscape grounds. The heritage significant buildings have no relationships to buildings outside of the larger walled site.

3.3.1.4 View Corridors

The original gates of Lober House are located on Castle Hill Road and are visible from directly outside of them on Castle Hill Road and, to a lesser extent, on approach in either direction.

The principal view corridors towards Lober House and the significant outbuildings are obtained from entirely within the Mowll Village site. They are not visible from Castle Hill Road and vice versa.

Figure 35 shows the existing view outside of the gates towards the subject site. The subject site is completely concealed within these view corridors.

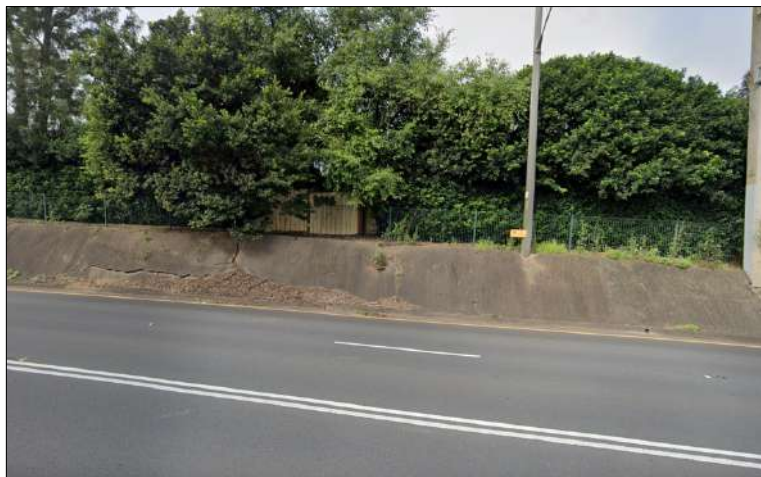


Figure 35:
View from the
gates towards the
subject site, which
is not visible.

3.3.1.4 Integrity

The heritage significant buildings demonstrate a high degree of integrity (externally). There setting has changed significantly over time from rural to residential.

3.3.1.5 Significance

The State Heritage Inventory listing sheet provides the following statement of significance for this item:

‘Outstanding late Federation Arts and Crafts Style mansion. Probably the grandest house of its period in the study area. Original interior features of note. Dominant element of landscape due to position and size. Fine quality design with distinctive tiled roof and tall chimneys. Original outbuildings including Gate House and four farm buildings. Original wrought iron gates and front fence. Other elements of original garden also of interest including driveway and fountain.’¹⁵

¹⁵ *Mowll Memorial Village: Lober House*, No. 284 Castle Hill Road, Castle Hill. State Heritage Inventory Heritage Item ID: 1780517.

3.3.1.7 Curtilage

This item has a multiple lot curtilage that is wholly contained within the walled boundaries of the site.

3.3.1.8 Relationship to the Site

The gates part of this item lie approximately 90m from the northern boundary of the site. They are, however, separated from it by Castle Hill Road, the properties on the northern side of Melia Court and by Melia Court itself. Lober House and the associated buildings are set well back from the gates. There are no existing visual relationships between any part of this item and the subject site. The site is not visible in view corridors to/from the item or which include the item. See Figure 35 above.

The site does not inform the significance of this item or make a direct contribution to its setting.

4.0 SCOPE OF WORKS

The proposed works are for the rezoning of the site from C4 Environmental Living to R3 Medium Density Residential, R4 High Density Residential, C2 Environmental Conservation and RE1 Public Recreation.

Concept plans have been prepared by DKO Architects.

The proposal provides for a mix of low and medium density residential buildings and includes a new public park, series of open spaces and public domain upgrades as follows:

- A publicly accessible park, Rogans Hill Park, that is designed to provide a natural play area and outdoor fitness opportunities.
- Six (6) residential flat buildings, with heights ranging from three (3) storeys to six (6) storeys, containing one hundred and forty-seven (147) units.
- Thirty-eight (38) terraces, each of two (2) and three (3) storeys.
- A series of connected biodiversity corridors connecting the existing Blue Gum High Forest and WSUD infrastructure that provide new opportunities for habitat for local flora and fauna.
- A central loop road to enhance accessibility and circulation to each public and communal space.

Refer to Figure 36 below.

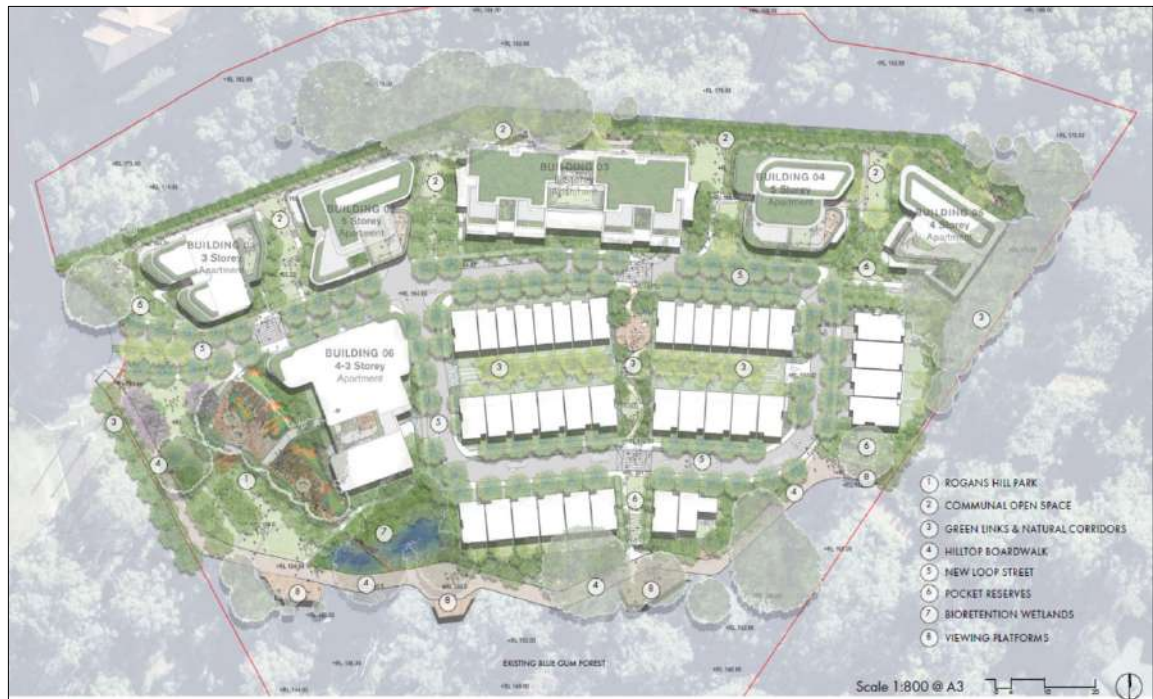


Figure 36: The Master Plan for the Planning Proposal.

DKO Architecture.

5.0 METHOD OF ASSESSMENT

The proposal is assessed with reference to the Department of Planning and Environment publication *Guidelines for preparing a statement of heritage impact* (2023). This publication poses three questions when works are proposed adjacent to a heritage item:

- Will the proposed works affect the heritage significance of the adjacent heritage item or the heritage conservation area?
- Will the proposed works affect views to, and from, the heritage item? If yes, how will the impact be mitigated?
- Will the proposed works impact on the integrity or the streetscape of the heritage conservation area?

These questions are answered in the assessments below.

The following is a merit based assessment.

6.0 HERITAGE IMPACT ASSESSMENT

6.1 Understanding the Existing Approval (1089/2006/ZA)

The existing approval provides for:

- A 23 lot community title subdivision, with lots of approximately 1,000sqm.
- A development footprint of 2.3ha.
- The removal of all existing trees within the development footprint, being the area in red in Figure 37 below.
- No consideration of land slide mitigation
- No public benefit or contribution.
- No access or maintenance of the existing Blue Gum High Forest to the south.



Figure 37:
Plan approved
under
1089/2006/ZA.
DKO Architecture.

The advantages of the proposed new master plan have been identified by the architects as follows:

- The development footprint is the same as the approved DA scheme.
- A greater number of the existing trees are retained. T
- An approximately 40% increase in tree canopy.
- Provision of a retaining wall on the northern side of mitigate land slip risk.
- A 2,000sqm community park.
- 15% affordable housing provided.
- Retention and management of the Blue Gum High Forest and opportunities to appreciate it from an activity trail and viewing platform.
- Series of pocket parks.

Figure 38 reproduces a key diagram with regard to heritage impacts, provided by the architect.

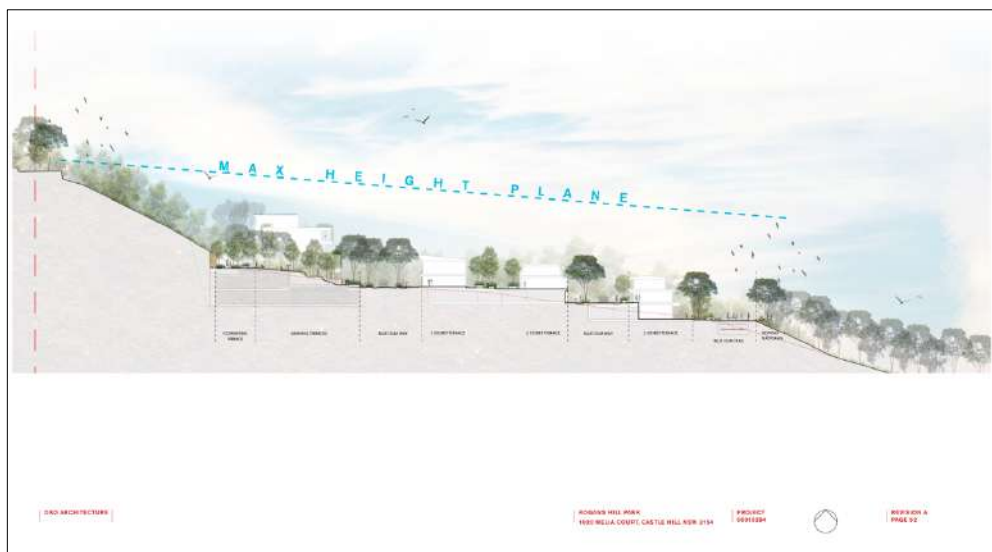


Figure 38: Section through the site showing proposed building heights, relative to topography.

DKO Architecture.

Figure 39 reproduces a CGI of the proposal, which illustrates how it would set within the existing setting.



Figure 39: CGI of the proposal, showing how it would sit within the existing setting.
DKO Architecture.

6.2 Impacts of the New Planning Proposal

6.2.1 Impact on the *Gates and Gate Post, Melia Court, Castle Hill*

The proposed works will have no impact on the heritage significance of this item for the following reasons:

- There will be no impact on the fabric of the item.
- The proposed works will not be visible in view corridors towards the item or block view corridors.
- The proposed works will not be visible within the setting of this item because it is fully screened from the site by an intervening dwelling and the fact that the subject site is set well below the level of Castle Hill Road. Refer to Figures 38 and 39 above.

Given the above, there will be no impact on the ability to understand the significance of the gate and gate posts as the ‘only surviving evidence of the consolidation of two early grants.’

6.2.2 *Pine Ridge, 19 Doris Hirst Place, West Pennant Hills*

The proposed works will have no impact on the heritage significance of this item for the following reasons:

- There will be no impact on the fabric of this item.
- Only remnants of this item remains. The main homestead, which still stood at the time of heritage listing, has been demolished, leaving only two small outbuildings, which are dominated by the large dwellings that surround it. These buildings are not visible from the public domain and do not depend on the character of their setting to explain their significance. There are no significant view corridors out of these items towards the site.
- Trees, fencing and distance will partially screen the proposed buildings from this item.
- The indicative finishes and colours are not such that they will give the proposed new buildings undue prominence within the setting of this item. Refer to Figure 39 above.

Given the above, there will be no impact on the ability to understand the significance of these two outbuildings as remnants of a larger rural complex.

6.2.3 Fairholme, 157 Castle Hill Road, Castle Hill

The proposed works will have no impact on the heritage significance of this item for the following reasons:

- There will be no impact on the fabric of this item.
- The proposed works will not block significant view corridors to/from this item.
- The proposed works will not be visible in significant view corridors towards this item, which are obtained from Castlehill Road and Glen Road.
- The proposed works are located outside of the immediate setting of this item. Glen Road turns and falls from the rear of this item towards the site. The site is located at a lower level than this item and separated from it by intervening dwellings. If the proposed buildings are visible from the first floor of the item, they are sufficiently removed not to dominate its wider setting. The proposal is arranged so that the tallest building are set against the rise of the site to the north, with roof top gardens that will further integrate them into the tree line. Bushland is retained on the southern part of the site. Refer to Figures 38 and 39 above.
- The indicative colours and finishes are not such that, if visible, the buildings will have undue prominence within the wider setting of this item. Refer to Figure 39 above.

Given the above, there will be no impact on the ability to understand the significance of this item as a Federation period weatherboard dwelling.

6.2.4 Dunrath, 139 Castle Hill Road, West Pennant Hills

The proposed works will have no impact on the heritage significance of this item for the following reasons:

- There will be no impact on the fabric of this item.
- The proposed works will not block significant view corridors to/from this item.
- The proposed works are sufficiently removed from this item to be outside of its immediate setting. If visible from the item, it will be at an angle and well removed. As shown by Figures 38 and 39 above, the arrangement of buildings on the site (with the tallest against the steep northern rise), existing trees and proposed planting will successfully integrate the buildings into any view corridor that might exist from this item in this direction.

Given the above, there will be no impact on the ability to understand the historic and aesthetic significance of this item and its significant associations with De Groot.

6.2.5 Mowll Village group, 284, 296, 300–302 and 304 Castle Hill Road and 146–200 David Road

The proposed works will have no impact on the heritage significance of this item for the following reasons:

- There will be no impact on the fabric of this item.
- The proposed works will not block or be visible within significant view corridors to/from this item.
- The proposed works will not form part of the setting of this item because of the relative level of the site to this item and the intervening roads and existing buildings. Refer to Figure 38 above.

Given the above, there will be no impact on the ability to understand the significance of this item.

7.0 CONCLUSIONS

This Heritage Impact Statement has considered the impact of a Planning Proposal to rezone a site at No. 1020 Melia Court, Castle Hill. The site is not subject to any statutory heritage listings but is located within the vicinity of several heritage items listed by *The Hills LEP 2019* and the *Hornsby LEP 2013*.

The proposed works will not impact on the fabric of any of the nearby heritage items or block existing significant view corridors to/from them. The proposal will be concealed within the immediate setting of all the items, except for the outbuildings once part of the *Pine Ridge* homestead. These outbuildings are not visible from the public domain and do not rely on the character of their setting to explain their significance.

The proposed rezoning of the site will have no impact on heritage items listed by *The Hills LEP 2019* and the *Hornsby LEP 2013*.