

Statement of Heritage Impact for Proposed Subdivision of Wallarah House Precinct at Catherine Hill Bay NSW

Issue D
17 January 2013

Prepared for
Coastal Hamlets Pty Ltd

Amendment History

Issue	Date	Amendments
A	23 December 2011	Issued for review & comment
B	3 February 2012	Revised issue
C	14 December 2012	Amended to reflect revised subdivision of 2 lots
D	17 January 2013	Additional discussion on curtilage

STATEMENT OF HERITAGE IMPACT

1 Introduction

1.1 Background

This Statement of Heritage Impact has been prepared to accompany an application for the subdivision of land at Catherine Hill Bay. Assessment of the heritage impact of a subdivision of land must consider the likely future development of the land and the potential impact of that development on the cultural significance of heritage items and heritage conservation areas in the vicinity.

1.2 Site & Ownership

Catherine Hill Bay is located approximately 26km south of Newcastle and 100km north of Sydney, on the Wallarah Peninsula between Lake Macquarie and the Pacific Ocean.

The subject site is located to the east of the Catherine Hill Bay township and separated from it by approx 100m of vacant land. The precinct is physically bounded by the formation of Hale St to the west, timber paling fences to the south and by a clifftop reservation to the east. The title boundaries result from an earlier subdivision.

The subject site includes the Wallarah House Heritage Precinct and a portion of the site lies within the heritage conservation area shown on the State Environmental Planning Policy (Major Development) 2005 – Heritage Map.

The subject site also falls within the Catherine Hill Bay Cultural Heritage Precinct and within the Catherine Hill Bay Heritage Conservation Area

The subject site was previously part of the Moonee Colliery site, owned by Coal Operations Australia Ltd and is currently owned by Coastal Hamlets Pty Ltd.

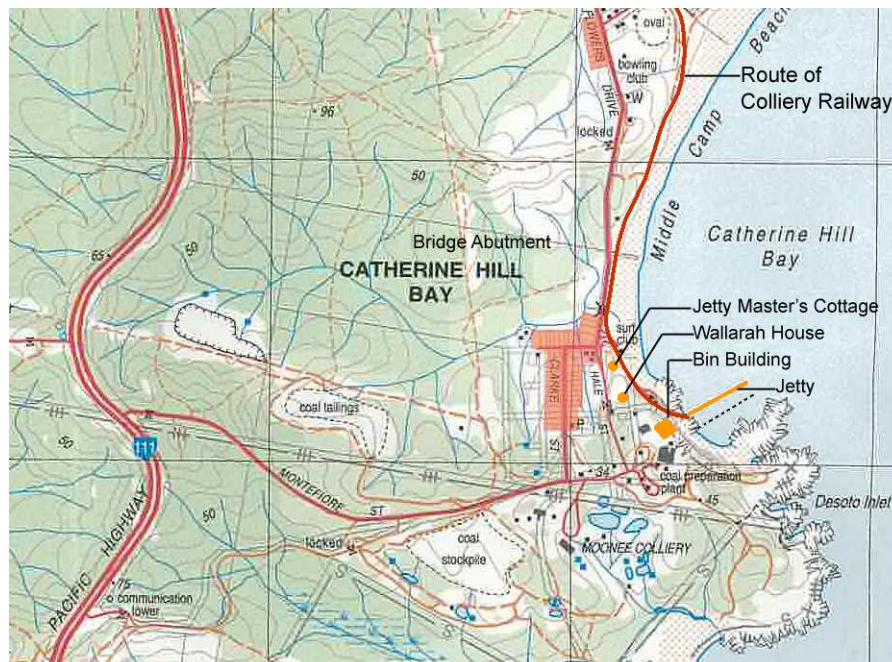


Fig.1 Map of Catherine Hill Bay showing the historic village and significant items.

1.3 Study Area

The study area includes the subject site, as well as the adjoining historic village of Catherine Hill Bay and a portion of the former colliery railway.



Fig. 2 The subject site (edged in red with proposed subdivision in green broken line)

1.4 Methodology

This Statement of Heritage Impact has been prepared in accordance with NSW Heritage Office "Statements of Heritage Impact"

1.5 Authorship

This Statement of Heritage Impact has been prepared by Ian McCaig B.Arch RIAA.

1.6 Limitations

Previous documentation has been prepared for the site and no further primary investigations have been carried out. This report refers to the "Conservation Management Plan, Wallarah & Moonee Collieries", by EJE Architecture, June 2003 for the History section of this report.

1.7 Acknowledgements

Information regarding the history of coal mining in and the development of Catherine Hill Bay has been largely obtained from "Conservation Management Plan, Wallarah & Moonee Collieries", by EJE Architecture, June 2003 and "Catherine Hill Bay Statement of Heritage Impact", by Conybeare Morrison, August 2007. Plans of the proposed subdivision have been made available by ADW Johnson Pty Ltd.

2 History

The history of coal mining in the Catherine Hill Bay area has been previously documented by EJE Architecture in their "Conservation Management Plan, Wallarah & Moonee Collieries", June 2003 and by Conybeare Morrison in their "Catherine Hill Bay Statement of Heritage Impact", August 2007. Only key events and those directly relevant to the study area will be dealt with here.

Coal was discovered in the Newcastle area in the closing years of the 18th century, with mining commencing in the early years of the 19th under government control.

The coal industry has been pivotal in the development of Newcastle and the Hunter Valley. When the BHP Newcastle steelworks was established 1915, the availability of coal was an important consideration in choosing the location

The coal industry is still important to the economy of the Hunter Valley and of NSW today.

Coal is thought to have been discovered at Catherine Hill Bay in 1840's by Rev Clarke. Part of the Wallarah Seam outcrops at the base of the cliffs near the jetty.

Further exploration was carried out in 1873 by Mr Psembledon, and The New Wallsend Mining Company was established to exploit the resources.

The entrance to the 1873 mine was at the base of the cliff to the south of the existing jetty. A timber jetty located at the mine entrance was built to enable coal to be transported to Sydney. The difficult terrain of the Wallarah Peninsula meant that no alternative means of transport was available.

As well as the Jetty, houses were built for the miners and the mine manager. An early plan of the mine workings shows the latter located on the headland at the southern end of bay.

The New Wallsend Mining Company venture failed and the company was wound up 1876 following the loss of the steamer "Susannah Cuthbert" in 1875 with a cargo of coal and consequent difficulties in getting coal to market. The original jetty was burnt down in 1880.

In September 1888 the Wallarah Coal Company Ltd was floated in London. After receiving a favourable report from an independent expert, Mr Thomas Parton, the company purchased the land previously owned by the New Wallsend Mining Company, as well as adjoining land to the north.

Thomas Parton, a mining engineer, was appointed as mine manager and arrived in Catherine Hill Bay in November 1888. A new mine was established in an area known as Mine Camp, approximately 4km north of Catherine Hill Bay. A new timber jetty was constructed at Catherine Hill Bay, a little to the north of the original structure, and a railway constructed to connect the mine and the jetty.

Parton remained as manager of the mine until 1898, taking a six month holiday in England in 1894. He was very highly regarded by the local community.

Additional pits were opened at Mine Camp and at Middle Camp (E Pit) before 1906.

In 1955 the Wallarah Coal Company Ltd was taken over by what was to become Coal & Allied Industries Ltd and the mines were modernised.

A new mine entrance was constructed at Crangan Bay, on the shores of Lake Macquarie, in 1957. Coal was transported to the coal preparation plant at Middle Camp by truck.

A new coal preparation and loading plant, located on the headland above the jetty, came into operation in 1964. This included the storage bin structure cut into the cliff face.

The railway ceased operation in 1963, following the closure of E pit.

Moonee Colliery was developed as a new mine 1982 to recover remaining coal in the Wallarah Seam. Development later extended into the Great Northern Seam.

Operations at Wallarah were scaled back and Moonee placed on a care & maintenance basis in 1992. In 1993, the mines were sold by Coal & Allied Industries to a consortium and operated by Coal Operations of Australia Ltd (COAL). The Moonee mine was re-opened in 1996 to exploit the Great Northern Seam by the longwall method.

Operations at the Wallarah Mine ceased in 2000 and at Moonee in 2002.

3 Physical Context

This section identifies and briefly describes the remaining buildings and structures including curtilage, that may be affected by future development of the site which is the subject development application, as well as commenting on the landscape, topography, views and vistas.

3.1 Built Form

The historic village of Catherine Hill Bay comprises cottages and a hotel grouped along Clarke Street, Lindsley Street and Flowers Drive. Clark St descends northward from its intersection with Montefiore St to the intersection with Lindsley Street. Viewed from the north, the topography creates a striking, stepped appearance of the cottages down the hill.

The subject site is located between the historic village and the coast and includes the heritage listed cottages known as Wallarah House and the Jetty Master's Cottage, together with associated carports and garages. The existing surf club abuts a portion of the eastern boundary of the site.

Wallahah House, constructed in the 1890's was built as the mine manager's residence and occupies a commanding location on the hillside with views across the village and to the coastline to the north.

The Jetty Master's Cottage is of later construction and commands a view of the coal loader wharf.

The only other remaining structures associated with coal mining activities are the coal loader wharf, some remnants of the Colliery Railway and the Bin building which was built into the cliff face above the jetty.

3.2 Topography and Landscape

Significant landscape elements comprise:

- The ridge lines to the north, south and west which define the setting of the Catherine Hill Bay historic village
- The location of the historic village on the side of the southern ridge line presenting a stepped configuration as seen from the northern entry to the town along Flowers Drive, as well as from the picnic area and carpark located approximately 150m north of the surf club
- The relationship of the beach and the cliffs that run below Wallarah House and the Jetty Master's Cottage
- The location of Wallarah House in a commanding position between the cliff edge to the north-east and the historic village to the west, separated by an open gully
- The elevation of Clarke Street allowing vistas from the village across to the coast
- The headland of the southern ridge which separates Catherine Hill Bay from Moonee Beach to the south

3.3 Views & Vistas

Significant views to and vistas from the study area include:

- from Flowers Drive and from the carpark at the northern end of the beach a panoramic view from the south east to the south west takes in most of the built structures of the historic village, Wallarah House and the Jetty Master's Cottage
- from Wallarah House west to the village and the ridge beyond
- from Wallarah House to the west, north and east
- from the southern end of Hale Street to the north, with the gully to the west and Wallarah House to the east



Fig.3 View of Catherine Hill Bay village from the north, with Wallarah House in the distance on the left



Fig.4 Wallarah House, the Jetty Master's Cottage and the dominant Surf Club viewed from the north.



Fig.5 View from Wallarah House to the village

3.4 Existing Curtilage

The curtilage of Catherine Hill Bay historic village is defined by the ridge lines to the north, west and south, and the coastline to the east. The Catherine Hill Bay Heritage Conservation Area as defined in Lake Macquarie DCP No 1 encompasses a larger area.

Figure 16 of the Catherine Hill Bay Development Control Plan 2012 defines the curtilage of Wallarah House as comprising the whole of the current lot, which is the result of the consolidation and re-subdivision of a number of previously existing lots and portions of road reservation. The defined curtilage includes the Jetty Masters Cottage and land to the north of the Jetty Masters Cottage which lies outside the Wallarah House Precinct as defined in the Conservation Management Plan for the Wallarah House Precinct.



Fig 6. Aerial photograph from 1947

Figure 6 above shows the Jetty Masters Cottage fully fenced, suggesting a well defined curtilage for this building. Fences and remnants of fences still exist in locations close to those visible in the photograph.

4 Regulations & Controls

The subject site is affected by a number of statutory controls, policies and guidelines that are relevant to this assessment of heritage impact.

State Environmental Planning Policy (Major Development) 2005

This SEPP imposes a number of controls on the site including controls related to heritage conservation and to the height of buildings.

Schedule 3 Part 14 Cl 12 of State Environmental Planning Policy (Major Projects) 2005 permits development for the following purposes within 20m of Wallarah House and within 20m of the Jetty Master's Cottage:

Without development consent: environmental protection works, home occupations, roads

With development consent: bed and breakfast accommodation, dwelling houses, home-based child care, home businesses, home industries and information and education facilities.

It is assumed that the requirement for development to be located within 20m of the two existing buildings is to retain the open space within the precinct and the setting of the two buildings.

NSW Heritage Act 1977

The Catherine Hill Bay Cultural Precinct was included in the State Heritage Register on 5 November 2010. The subject site falls within the State Heritage Register Curtilage.

Lake Macquarie Development Control Plan No 1

Some parts of this DCP apply to the subject site

Catherine Hill Bay (South) Development Control Plan

Development controls for the Wallarah House Precinct are set out in Section 5.4.2 of the DCP.

The key objectives for the Wallarah House Precinct as set out in the DCP are:

- *To ensure that an appropriate curtilage is maintained around the existing Wallarah House.*
- *Preserve the historic spatial relationship between Wallarah House and the Jetty Master Cottage.*
- *Provide built form controls for alterations and additions to Wallarah House and Jetty Masters Cottage which are sympathetic to their heritage significance.*
- *Preserve the heritage and scenic qualities of the Precinct.*

Development applications are required to include a statement of heritage impact

Any proposed development must

- *Retain and enhance the heritage curtilage around the existing Wallarah House*
- *Ensure the views from the north veranda of Wallarah House are not obscured.*
- *Enhance the dominant landmark quality of Wallarah House by avoiding the over planting of trees to the north and west.*
- *Existing Norfolk Island Pines at the Jetty Masters Cottage should be retained. All other planting or seedling Norfolk Island Pine trees should be removed.*

5 Identification of Significant Items

In the Environmental Heritage Table in State Environmental Planning Policy (Major Development) 2005, the following items are listed, both as being of local significance:

Walarah House	1a Keene St	Lots 102 & 103 DP1129872, Lot 1 DP1151628
Catherine Hill Bay Colliery Railway		Lots 101, 103 & 104 DP1129872, Lot 1 DP1151628

Additionally, the Heritage Map attached to State Environmental Planning Policy (Major Development) 2005 defines a heritage conservation area (referred to below as the SEPP Heritage Conservation Area) covering all of the site.

5.1 Catherine Hill Bay Cultural Precinct

The Catherine Hill Bay Cultural Precinct encompasses the villages of Catherine Hill Bay and Middle Camp, as well as the land and beaches located between the two villages. The subject site lies within the curtilage of the Precinct. The precinct includes most of the extant structures related to mining as well as some significant landscape elements.

5.2 Wallarah House

Walarah House is a single storey building, of timber framed construction with weatherboard clad walls and corrugated iron hipped roof. The house is surrounded on 3 sides by a verandah, parts of which have been enclosed. A small brick structure containing a laundry, WC & shower stands to the southwest of the main building, separated by approximately 800mm, and a free standing garage is located approximately 40m southwest of the house.

The verandah structure comprises face brick piers, with a brick parapet wall capped by a brick on edge capping spanning between. The piers support a timber beam which in turn supports the verandah rafters.

On the northeastern façade, the verandah beam is supported on steel columns which rest on brick piers which finish flush with the parapet.

Internally, the building comprises 8 major rooms disposed on either side of a central corridor, plus 2 bathroom areas. Internal finishes generally comprise asbestos cement sheet wall and ceiling linings, with timber cover battens, fibrous plaster cornices, timber floors and timber architraves, skirtings and doors.

A double garage, rectangular with gabled roof and two roller doors has been added to the rear of the property, some distance from the house.

It is evident that the building has undergone significant changes since it was built. None of the alterations and additions are considered sympathetic with the original design of the house. The architectural image of the house is generally an eclectic mix of Interwar Bungalow and Victorian Georgian. Its isolated location on the side of the hill overlooking the village of Catherine Hill Bay and the ocean is symbolic of the mine manager's role and importance within the community. The building's siting is highly significant. The building is in fair condition structurally but requires extensive conservation work to restore its original style, character and form.



Fig.7 Wallarah House

5.3 The Jetty Master's Cottage

Although not listed, the Jetty Master's Cottage has been assessed as having some heritage significance. It is located within the Wallarah House Precinct. Lake Macquarie Council has proposed including this building in its register of heritage items. The building has been substantially altered since its construction and is in poor condition.



Fig.8 The Jetty Master's Cottage and stand of Norfolk Island Pines

5.4 SEPP Heritage Conservation Area

The heritage Conservation Area includes within its boundary Wallarah House, the Jetty Master's Cottage, the Colliery Railway and the Bin Building. The headland separating Middle Camp Beach from Moonee Beach was the site of the original mine manager's house.

A portion of the SEPP Heritage Conservation area also lies within the State Heritage Register curtilage of the Catherine Hill Bay Cultural Precinct.

5.5 Heritage Items in the Vicinity

A number of items listed in Schedule 4 of the Lake Macquarie LEP 2004 are located in the vicinity of the subject site. Under the statutory provisions above, the impact of the proposed development on the heritage significance of the following items is required to be assessed:

Item No.	Significance	Item	Address
CH-03	Local	Police Station (disused)	23-27 Clarke St
CH-04	Local	Wallarah Hotel	24 Clarke St
CH-05	Local	Cottages	10-12 Clarke St
CH-06	Local	Cottages	19-21 Clarke St
CH-07	Local	Cottage	17 Clarke St
CH-08	Local	Cottage	3-9 Clarke St
CH-10	Local	Cottage	3 Lindsley St
CH-12	Local	Cottage	11 Lindsley St
CH-14	Local	Coal Loader Jetty	Southern end of the beach

A number of items located on Flowers Drive are also listed but are not in close proximity to the subject site.

5.5.1 Clarke & Lindsley St Cottages

These cottages generally date from the 1890s to the 1920s and were originally simple four room timber structures, clad in weatherboards and with gabled corrugated iron roofs. They are characterized by ridge lines running parallel to the street alignment and verandahs that are on the front boundary. The dwellings are consistently of a similar size, form, materials and colour.

5.5.2 The Coal Loading Jetty

The current jetty was constructed in 1975 to replace an earlier timber structure that was damaged in a severe storm in 1974. The jetty consists of a concrete deck supported on steel piles and supports the travelling shiploader at the eastern end, which allows ships to be loaded continuously. At the landward end a small section of timber structure exists, probably a remnant of the earlier timber jetty. It is a requirement of the rehabilitation plan for the colliery that the jetty be demolished.



Fig.9 The Coal Loader Jetty

5.5.3 The Colliery Railway

The colliery railway connected the early coal workings located to the north of Catherine Hill Bay with the jetty. Coal wagons were hauled by steam locomotive to the jetty where they were emptied into chutes feeding the ships. Only remnants of the rail system remain, including cuttings in the cliff face near the jetty and timber buttressing belonging to a former bridge over Catherine Hill Bay Creek north of the jetty.



Fig.10 Remains of a bridge abutment, part of the former Colliery Railway

6 Assessments of Significance

6.1 Principles

The basis of an assessment of heritage significance is the methodology and criteria set out in the “Assessing heritage significance” published by the NSW Heritage Office.

An item or place is considered to be of heritage significance if it meets one or more of the following criteria:

Criterion (a) – an item is important in the course, or pattern, of NSW’s cultural or natural history (or the cultural or natural history of the local area);

Criterion (b) – an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW’s cultural or natural history (or the cultural or natural history of the local area);

Criterion (c) – an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area);

Criterion (d) – an item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons;

Criterion (e) – an item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history (or the cultural or natural history of the local area);

Criterion (f) – an item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history (or the cultural or natural history of the local area);

Criterion (g) – an item is important in demonstrating the principal characteristics of a class of NSW’s

- cultural or natural places; or
- cultural or natural environments.

(or a class of the local area’s

- cultural or natural places; or
- cultural or natural environments.)

6.1.1 Gradings of Significance

Grading	Justification	Status
Exceptional	Rare or outstanding item of local or State significance. High degree of intactness. Item can be interpreted relatively easily.	Fulfils criteria for local or State listing.

High	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Fulfils criteria for local or State listing.
Moderate	Altered or modified elements. Elements with little heritage value, but which contribute to the overall significance of the item.	Fulfils criteria for local or State listing.
Little	Alterations detract from significance. Difficult to interpret.	Does not fulfil criteria for local or State listing.
Intrusive	Damaging to the item's heritage significance.	Does not fulfil criteria for local or State listing.

Recommended treatment of items of each level of significance is as follows:

EXCEPTIONAL and HIGH

Aim to retain all fabric. Preserve, restore, reconstruct in accordance with the Burra Charter. If adaptation is necessary for the continued use of the place, minimise changes, do not remove or obscure significant fabric. Design changes so they are reversible. In this case the condition of some of the buildings will affect the feasibility of conserving them.

MEDIUM

Aim to retain most of the significant fabric. Conservation of the overall form and configuration is desirable. Some of these items are already substantially altered internally and can accommodate further major changes. Compatible new construction can be added and fabric may be removed in part as necessary to accommodate new uses. If adaptation is necessary, more changes can be made than would be possible for fabric of state significance, but the same principles apply. Retention may depend on issues other than heritage value, such as financial viability.

NEUTRAL

Fabric may be retained, modified or removed as required for the future use of the place, provided that its removal causes no damage to more significant fabric.

INTRUSIVE

Remove or alter intrusive fabric to reduce the adverse impact when the opportunity arises, whilst minimising damage to adjacent fabric of significance.

6.2 Catherine Hill Bay Cultural Precinct

The Catherine Hill Bay Cultural Precinct has been assessed as having significance under all seven of the State Heritage Register Criteria. The Statement of Significance, which together with the assessment of significance, can be found on the Heritage Council web site, recognises the historical significance and distinctive character of the villages, the importance of the landscape setting and the archaeological potential of the precinct.

6.3 Catherine Hill Bay Heritage Conservation Area

The Lake Macquarie City Council Heritage Guidelines, 2004, outlines the following factors that contribute to the significance of the Catherine Hill Bay Conservation Area:

The extended settlement of Catherine Hill Bay has significance for its landscape and its buildings, but also because of its unique history of development.

Catherine Hill Bay has picturesque and distinctive historic townscapes, and land/seascapes unrivalled in Lake Macquarie, as well as a binding historic theme.

Catherine Hill Bay village has the oldest group of buildings in Lake Macquarie. The buildings form a number of integrated streetscapes and are a constant reminder of the settlement's origins as a nineteenth century mining village.

Both Catherine Hill Bay village and Middle Camp, village are rare examples of 'Company Town' developments in Lake Macquarie.

Company town infrastructure survives in the Upper Hunter and other parts of Australia but Lake Macquarie mine developments were generally less organised. Uniform development of these villages has produced unique townscapes.

Distant views over the town are as important as close up views. The distinctive urban pattern of the main village set within its coastal and bush landscape can be appreciated from a range of vantage points, particularly from the important northern approach.

The high visibility of the main precinct, including rear yard areas, with natural bushland edges, makes it highly sensitive to new development. There are already a few examples of out-of-scale additions. The original buildings, a majority of which date from the 1890's to the 1920's, were mostly small vernacular cottages. There were very few buildings recognisable as belonging to a particular style, or period. All dwellings display a high degree of consistency in size, scale, form, setbacks, siting and materials. This integrity is also unique, relative to other older precincts in Lake Macquarie.

6.4 Significance of Individual Items

There are two buildings in the subject site that will require assessment against the proposed subdivision. Wallarah House (Mine Managers Residence) is regarded as a 'Highly' significant element of the Moonee Colliery, whilst the Jetty Master's Cottage is considered to be of moderate significance.

6.4.1 Wallarah House (Mine Manager's Residence)

The Wallarah and Moonee Collieries Conservation Management Plan, 2004 refers to the Mine Managers Residence as having High Heritage Significance for the following reasons:

High: Historically this building is of high-level significance, having been built during the earliest period of the collieries development. It provides rare evidence in the region of the period of establishment of the colliery. The managers residence was designed by the locally significant Newcastle and Hunter architectural firm Bennett and Yeoman. A substantial structure of a style typical of the period and the siting and landscape demonstrate the eminent role of the Mine Manager in the workings of the collieries.

6.4.2 The Jetty Master's Cottage

The Conservation Management Plan for the Wallarah House Precinct 2009 refers to the Jetty Master's Cottage as being:

"significant in the development of Catherine Hill Bay, being part of the infrastructure required to support mining operations. Its surviving original interior finishes and details are typical of the period of its construction. The Jetty Master's Cottage is considered to be of local heritage significance."

6.4.3 SEPP Heritage Conservation Area

The heritage conservation area can be seen as an extension of the Catherine Hill Bay Cultural Precinct and is significant for the following reasons:

Walarah House, a portion of the Colliery Railway and the Jetty Master's Cottage lie within its boundaries, as does the open space that separates Wallarah House from the village;

It contains the curtilage of Wallarah House and forms part of the curtilage of Catherine Hill Bay village;

The headland is the site of the original mine manager's house and is an important part of the natural landscape setting.

The SEPP Heritage Conservation Area is considered to be of high local significance.

6.5 Heritage Items in the Vicinity of the Site

6.5.1 The Coal Loader Jetty

The Wallarah and Moonee Collieries Conservation Management Plan, 2004 refers to the Jetty as having High Heritage Significance for the following reasons:

"The Jetty carries a great deal of significance locally and regionally, both as a barometer of the economic growth which occurred in the region since the late 1880s and as a symbol of the on-going struggle with the natural elements which constantly worked to hinder the development of the area. The Jetty has landmark value from the land and the sea, as a dominant feature of the coastal area of Catherine Hill Bay and as a visible link to the collieries, the community and the European history of the area."

6.5.2 The Cottages of Catherine Hill Bay Village

Although an assessment of significance of the individual cottages was outside the scope of The Wallarah and Moonee Collieries Conservation Management Plan, 2004, given their importance to the significance of the village as a whole, they were assessed as having a High level of significance.

"The cottages each form an element within the village, and as such contribute individually to the significance of the whole village. Although modest structures in themselves, they display a simple vernacular of consistent roof forms, verandah fronts, timber wall linings and detailing. They are sited on the front boundary alignment but with generally no fences to the side boundaries. They also do not have any carports or other structures between the

cottages, thus presenting a repetitive series of blocks stepping up Clarke Street, the main thoroughfare. The result of this arrangement is that the street has permeability, with the landscape forming a natural background. Generally the landscape between and surrounding the cottages is a grassed area, providing a 'flat' plane which gives emphasis to the regular geometry of the cottages and provides a distinct demarcation with the natural landscape beyond."

6.5.3 The Catherine Hill Bay Colliery Railway

The Wallarah and Moonee Collieries Conservation Management Plan, 2004 refers to the remaining relics of the Coastal Railway Line on the site as having High Heritage Significance for the following reasons:

"The remaining relics on the site represent an important phase in the development of transporting coal – the mechanisation of the transporting system and subsequent closure of the railway. The Railway alignment provides a physical skeleton upon which the layout and evolution of mining in Catherine Hill Bay can be determined. It is an important component in the former working colliery's environment, remaining historically rare in the area. It has social associations with the village of Catherine Hill Bay providing an identifiable landmark for over 100 years. It has provided the community with a sense of identity during this time, remaining now as an important reminder of the reasons for settlement and development of the Catherine Hill Bay Village."

7 Issues & Opportunities

7.1 Key Issues

The Built Environment and Natural Setting

The key issues that apply to the development of the subject site and the surrounding area, that is the Catherine Hill Bay Conservation Area and the Catherine Hill Bay Cultural Precinct, can be summarised as follows:

- The landscape and topographical setting of the Conservation Area, which includes the coastline, headlands, ridges, and a range of vegetation types and conditions, both indigenous and introduced;
- The conservation of identified heritage items, including items in the vicinity of the subject site;
- The retention of the various levels of curtilage of the heritage items as well as the Conservation Area;
- The retention of the significant views and vistas of the Conservation Area, not only from a distance, but within the area. This is also related to the conservation of curtilage;
- The relationship of the subject site and adjacent sites in terms of landscape as well as built items;
- The treatment of the landscape.

7.2 Opportunities

The proposed subdivision presents opportunities which can be summarised as follows:

- The retention of two buildings which are significant in understanding the development of Catherine Hill Bay and the role of the coal mining industry, and of their setting
- Allows an opportunity to inform the public at large with the interpretation of the history of the site;

8 Statement of Heritage Impact

8.1 Introduction

The basis of an assessment of heritage impact is to assess the proposed subdivision against the applicable statutory requirements listed in Section 4.0, and the impact that the proposal will have on the identified heritage items and significant areas as noted in Section 5.0. Assessment will also consider the proposal in terms of the issues and opportunities discussed in Section 6.0.

8.2 The Subdivision Proposal

This proposal is for the subdivision of approximately 1.86 Ha of land into 2 allotments. One of the proposed allotments, shown as Lot 101 on the proposed plan of subdivision is 1.13 Ha in area and contains Wallarah House, its garage and gardens as well as open space and a portion of the cliff.

Proposed Lot 102 is 0.73 Ha in area and contains the Jetty Master's Cottage and outbuildings, the stand of Norfolk Island Pines located to the north of the cottage as well as open space, a portion of the cliff and part of a road leading from Hale St to the surf club and the jetty.

8.3 Adaptive re-use

Walarah House (listed) is proposed to be restored and adaptively reused at a future date. The Jetty Master's House (not currently listed) is in poor condition, it is intended to be restored and adaptively reused if it is feasible to do so.

8.4 Assessment of Heritage Impact

The impact of the proposed subdivision and associated works, as well as the likely future development on the subject site, on the significant cultural heritage of the Catherine Hill Bay Cultural Precinct and the Catherine Hill Bay Heritage Conservation Area and listed heritage items, together with statutory requirements, is as follows:

8.5 Impact on the Catherine Hill Bay Cultural Precinct and the Catherine Hill Bay Heritage Conservation Area

Schedule 3 Part 14 Cl 12 of State Environmental Planning Policy (Major Projects) 2005 permits development within 20m of Wallarah House and within 20m of the Jetty Master's Cottage.

The Conservation Management Plan for the Wallarah House Precinct requires that

The open and sparsely developed character of the Heritage Precinct should be retained in order to preserve the setting of Wallarah House and of the Jetty Master's Cottage.

It further states that

The requirement set out in Cl 11 of State Environmental Planning Policy (Major Projects) 2005 (Amendment No 26), restricting future development to within 20m of each building is consistent. Any such development should be designed and located so as to have minimal impact when the site is viewed from the north.

The Conservation Management Plan dealt with fencing both to the individual items and to the Precinct as a whole.

In respect of fencing to the individual items, the CMP states that:

Any new fencing separating the house from the remainder of the heritage precinct should be either of a metal picket spear point design or of timber picket construction. Fencing to Hale St should be of metal picket spear point design, with hedging behind if required for privacy. Fencing should integrate with any fencing of the heritage precinct.

In respect of fencing to the Precinct as a whole:

Fencing, if required, should define the edges of the precinct and should be of metal spear point design. Where visual privacy is required, hedging behind the fence should be provided

Provided that the recommendations set out in the Conservation Management Plan for the Wallarah House Precinct are followed and the controls set out in Catherine Hill Bay (South) Development Control Plan are complied with then any impact will be minimal.

The proposal will make a contribution to the Catherine Hill Bay Cultural Precinct and Catherine Hill Bay Heritage Conservation Area by maintaining the existing curtilages of Wallarah House and the Jetty Master's Cottage.

8.6 Impact on Heritage Listed Items within the Site:

8.6.1 Wallarah House, The Jetty Masters Cottage & SEPP Heritage Conservation Area

The provision in Cl 12 of State Environmental Planning Policy (Major Development) 2005 limiting the new development to within 20m of Wallarah House effectively requires the open space between the buildings to be retained and thus their setting.

Compliance with this requirement, with the recommendations set out in the Conservation Management Plan for the Wallarah House Precinct and with the controls set out in Catherine Hill Bay (South) Development Control Plan will result in any impact on these items and on the SEPP Heritage Conservation Area being minimal.

8.7 Impact on Heritage Items in the Vicinity of the Site

8.7.1 The Coal Loader Jetty

The Coal Loader Jetty will be demolished as a requirement of the mine rehabilitation plan, thus the proposed subdivision can have no impact.

8.7.2 The Colliery Railway and Listed Cottages in Clarke & Lindsley Streets

Provided that the recommendations set out in the Conservation Management Plan for the Wallarah House Precinct are followed, and the controls set out in Catherine Hill Bay (South) Development Control Plan are complied with, then any impact on the Colliery Railway remnants and on the cottages of the historic village will be minimal.

8.8 Impact on Views & Vistas

8.8.1 External Vistas

- From Flowers Drive looking south: the Conservation Management Plan for the Wallarah House Precinct recommends that any new structures within 20m of either Wallarah House or the Jetty Master's Cottage are located so as to have minimal impact when viewed from the north. Appropriate location, massing, selection of materials and screening by landscape will minimise any impact.

Impact: minimal

- From the Montefiore/Clarke Street intersection to the north and north-east: the subject site is not visible from this location

Impact: none

8.8.2 Internal Views

- Provided that the recommendations set out in the Conservation Management Plan for the Wallarah House Precinct are followed, the views between Wallarah House and the historic village to the west, and vice versa, will not be compromised by any new development

- Views north and east from Wallarah House will also remain as is

Impact: none

8.9 Impact on Curtilage: Wallarah House

The curtilage of Wallarah House, and of the Wallarah House Precinct, is maintained with this proposal. The proposed lot boundaries are consistent with the necessity to maintain the curtilages of Wallarah House and the Jetty Master's Cottage.

Impact: none

8.10 Impact on Curtilage: Catherine Hill Bay Village

The curtilage of the individual cottages and the whole village within the perimeter ridge lines will not be compromised by any proposed development.

Impact: none

9 Recommended Conservation Management Policies

Conservation can be regarded as the management of change. It seeks to safeguard that which is important in the built environment within a process of change and development. As such, it is one of the functions of this document to establish criteria, policies and recommendations for the conservation and on-going use of the buildings and site as an appropriate and desirable response to proposed development. In this way the owners and managers of the place will be able to formulate proposals within a known framework of acceptable directions, and planning authorities will be able to assess those proposals against the stated criteria.

The purpose of conservation policies is to outline courses of action to be followed in the consideration and development of long term use, care and maintenance for the complex of buildings and landscape settings, such that the cultural significance is retained and enhanced and not diminished.

The policies have been formulated to:

- preserve the cultural significance of the buildings and site;
- retain and enhance the character and quality of the buildings and their settings;
- facilitate the introduction of uses, elements or buildings, compatible with the character and quality of the existing buildings and the precinct;
- nominate intrusive components in need of modification or removal;
- nominate a person or organisation responsible

9.1 Application of the Burra Charter

The Australia *ICOMOS Charter for Places of Cultural Significance*, known as The Burra Charter, is widely accepted in Australia as the underlying methodology by which all works to sites/buildings, which have been identified as having national, state or local significance, are undertaken.

As the Catherine Hill Bay precinct is of demonstrated cultural significance, procedures for managing changes and activities at the site should be in accordance with the recognised conservation methodology of the Burra Charter. Where applicable, the following Policies are referenced to the relevant Articles of the Burra Charter. In order to achieve a consistency in approach and understanding of the meaning of conservation by all those involved, a standardised terminology for conservation processes and related actions is to be adopted. The terminology in Article 1 of the Burra Charter is a suitable basis for this.

9.2 Asset Management

The setting of the heritage structures on the site contributes to the cultural significance of the place. The site of Catherine Hill Bay as a whole, has outstanding historical and social significance as outlined above.

The overall purpose of the following Conservation Management Policies is to preserve and enhance the heritage significance of the precinct, its remnant buildings and their landscape settings.

The conservation of this site can best be achieved by:

- The conservation and adaptive re-use of the significant buildings.
- The conservation of the setting of these buildings and their associated historic landscapes.
- The accommodation of a use or uses which will enhance public appreciation of the cultural significance of the place and ensure the conservation of the important buildings and landscape features.
- The establishment of curtilages for not only individual heritage buildings, but for the conservation area.
- The identification of key vistas and views.
- The control of the significant landscape and oceanfront setting, and public access ways to ensure the cultural landscape is retained and conserved.

9.3 Statutory Requirements & Approvals

Much of the Catherine Hill Bay area falls either into the Catherine Hill Bay Cultural Precinct, the Catherine Hill Bay Conservation Area, or both. Many individual structures within the area are listed as heritage items on the Lake Macquarie City Council Local Environmental Plan.

Further, heritage items and a heritage conservation area within the subject site are nominated in the **State Environmental Planning Policy (Major Development) 2005**.

Catherine Hill Bay (South) Development Control Plan also applies to the subject site.

It will therefore be necessary to submit a Development Application, accompanied by a Statement of Heritage Impact, for any proposed work which alters an item, internally or externally. A statement of heritage impact will be required to accompany applications for development on the new lots proposed to be created.

Schedule C of the State Heritage Register listing exempts DAs already approved and those complying with the Lake Macquarie City Council Lake Macquarie Council Development Control Plan No 1 Part 2 Section 2.4 and its Heritage Guidelines for Catherine Hill Bay from requiring Heritage Council approval.

The compliance of existing buildings with the requirements of the Building Code of Australia in terms of fire safety will have to be examined in each case and balanced with the desirability of preserving the historic fabric.

9.4 Policies

1. Conservation Management

Policy 1.1 A Development Application shall be required for all works which may alter the interior or exterior of the culturally significant buildings and their setting on the site.

Policy 1.2 Upgrading of a building to comply with the requirements of the Building Code of Australia and the Disability Discrimination Act should be undertaken in a way which does not damage the cultural significance of the group of buildings and their setting.

Policy 1.3 All conservation work, including adaptive reuse, infill and new works undertaken within the subject site should be in consultation with qualified and experienced conservation and landscape architects acting within the guidelines of the Conservation Management Policies within this document.

Policy 1.44 Conservation requires the retention of an appropriate visual setting and other relationships that contribute to the cultural significance of the place.

Policy 1.5 New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Policy 1.6 As a part of Conservation Planning, priority should be given to the compatible utilisation of heritage buildings where appropriate.

Policy 1.7 Consideration should be given to the conservation and sympathetic adaptive reuse of Wallarah house (listed heritage item) and the Jetty Master's Cottage(not listed)

2. Interpretation

Policy 2.1 The Interpretation Strategy prepared by Giles Tribe Architects in 2009 should be reviewed and updated if necessary.

3. Retention of Views & Vistas

Policy 3.1 Ensure retention of the vista from Flowers Drive looking in an arc from the south east to the south west.

Policy 3.2 Visually retain the status of Wallarah House as separate from the village to the west. Landscape treatment of the space between the village and the house should maintain the visual linkage. Any new fencing must be of an open design, such as a metal spear point type fence, and limited in height to 1.2m

Policy 3.3 Views from Wallarah House are to be maintained to the west, north and east.

Policy 3.4 Ensure the retention of the view down the proposed Hale Street looking in the direction of Flowers Drive

4. Curtilage

Policy 4.1 Maintain the curtilage of Wallarah House, including the Jetty Master's cottage, with a visual curtilage extending west to the historic village, to retain the significance of the relationship of this precinct to its landscape setting. Retain the semi-rural setting of both buildings.

Policy 4.2 Ensure the views from the north verandah of Wallarah House are not obscured. Enhance the dominant landmark quality of Wallarah House by avoiding the over planting of trees to the north and west.

Policy 4.3 Maintain and enhance the screen planting to the south of Wallarah House.

5. Future Development

Policy 5.1 Future development of the place should be based on an understanding of its cultural significance.

Policy 5.2 Future development should, as far as possible, not obscure original fabric or the configuration of the place.

Policy 5.3 The introduction of new works or fabric to a heritage building should not result in a lessening of the original significance of the place. New work should be identifiable as such and should, where possible, be capable of being reversible or removed without damage to significant fabric or spaces.

Policy 5.4 The preferred new uses for significant buildings on the site are uses that enhance the appreciation of the significance of the place and ensure the conservation of the place and its setting.

Policy 5.5 Restore Wallarah House to a known earlier state using the evidence of 1890's photographs and engraving, additional research and on-site investigations of building fabric. The front and rear gardens of Wallarah House, as well as proposed fencing, can be either restored or interpreted based on the same investigative approach.

Policy 5.6 Adaptively reuse the Jetty Master's Cottage.

Policy 5.7 Change to an original structure should as far as possible retain the building’s cultural significance and be sympathetic to its character.

Policy 5.8 New works, where applicable, should address the following major design criteria in relation to the heritage precincts and items:

- Character – maintain the characteristic quality of the place
- Scale – avoid domination of the existing heritage structures by limiting new structures to a single storey with attic spaces in the roof
- Form – design harmonious massing
- Materials and colour – materials and colours should be compatible with the existing village and with the natural setting
- Detailing – should distinguish old from contemporary

6. Significant Buildings and Structures

Policy 6.1 If a proposed use of Wallarah House requires additional floor space, this could be located in separate, discreet pavilion structures located to the south, subject to further investigation confirming the extent of the original garden.

Policy 6.2 While recognising the need for change, the approach to significant original building fabric should be one of minimal intervention.

Policy 6.3 The treatment of existing components and fabric shall be in accordance with their assessed level of significance.

Policy 6.4 Reconstructing elements to a known earlier state is acceptable if it is required for the conservation of adjacent elements, if it enhances the significance of a group of elements, if it does not distort existing evidence and is clearly identified as reconstruction.

Policy 6.5 Individual elements and fabric of identified significance levels should be treated with the corresponding conservation policies outlined in the following table:

LEVELS OF SIGNIFICANCE		RECOMMENDATIONS FOR THE IDENTIFIED LEVELS OF CULTURAL SIGNIFICANCE
A	EXCEPTIONAL	Preserve, restore, reconstruct and adapt in accordance with the Burra Charter, in conjunction with minimum adaptation for new function or use
B	HIGH	Restore, reconstruct and adapt in accordance with the Burra Charter, in conjunction with adaptation or supplementary new construction if required for function.
C	MODERATE	Consider adaptation or remodelling of the space or element to allow for conservation of fabric of greater significance. Removal in part or in full is acceptable if necessary. Retention may depend on factors other than the assessed heritage value, eg. Its functional qualities in and new adaptive re-use schemes.
D	LOW	Retain, recycle, add compatible new construction and/or remove in part or in full, minimising adverse impact on fabric of exceptional or high significance and having the least possible impact on fabric of moderate significance. Improvements are required which will contribute to the overall significance, aesthetic quality and functioning of a building.
E	NEUTRAL	Retain, recycle, remove or modify as required in any adaptive reuse proposal for a building.
F	INTRUSIVE	Remove or modify, in the long term, to reduce adverse impact on the overall significance, aesthetic quality and functioning of a building

Policy 6.6 Seek to maintain the existing original fabric rather than introduce new materials.

Policy 6.7 All changes to the building fabric should be carefully recorded and archived.

Policy 6.8 All work done to the historic fabric of any significant buildings and their setting should be done in accordance with the principles of the Burra Charter.

10 Conclusion

The subject site is located within the boundaries of both the Catherine Hill Bay Cultural Precinct and the Catherine Hill Bay Heritage Conservation Area, as well as within the vicinity of a number of listed heritage items. The village of Catherine Hill Bay was originally developed to accommodate miners and their families, who worked in the local coal mining industry, which included the extraction, preparation and transport of coal.

The proposed subdivision of the Wallarah House Precinct allows for the retention of the two significant buildings on the site together with appropriate curtilages. Evidence exists of a well defined curtilage for the Jetty Masters Cottage, defined by fencing. The southern fence shown on the aerial photograph from 1947 is close to the proposed line of subdivision.

Subdivision of the land maintains views and vistas of the Catherine Hill Bay Cultural Precinct and of the Catherine Hill Bay Conservation Area, as well as views to the site. Low height fencing of open design is sufficient to delineate private and public open space with minimal visual impact.

Adaptive re-use of Wallarah House and the Jetty Masters Cottage and the removal of intrusive elements will assist in the interpretation of these items and enhance the heritage significance of the place.

A number of existing controls act to maintain the character of the place and the setting of the items:

- Schedule 3 Part 14 Cl 12 of State Environmental Planning Policy (Major Projects) 2005 limits development to within 20m of Wallarah House and within 20m of the Jetty Master's Cottage;
- The Height of Buildings Map limits building heights within the precinct to 5m
- Catherine Hill Bay Development Control Plan requires among other things that any future development of the land must retain and enhance the heritage curtilage of Wallarah House, ensure that views from the north verandah of Wallarah House are not obscured and enhance the dominant landmark quality of Wallarah House.

Taken together and properly applied, these controls act to limit development on the site and to ensure that any potential impacts on the heritage significance of the Catherine Hill Bay Cultural Precinct and of the Catherine Hill Bay Conservation Area can be minimised or eliminated altogether.

Provided that these controls are applied to any future development within the Wallarah House Precinct, the only potential difference in future development outcomes resulting from subdivision relates to fencing dividing the lots from each other. Given that fencing or the remnants of fencing exist around the Jetty Masters Cottage and there is evidence for this fencing dating back over 60 years, then the erection of new fencing of suitable design in the same locations can be justified.

The existing lot is the result of consolidation and re-subdivision of portions of previously existing lots and road reservations and has no historical basis. Its subdivision into two lots more closely reflects the informal division of the land by fencing which has defined a curtilage for the Jetty Masters Cottage which is separate from that of Wallarah House. Accordingly, the subdivision of the site into two lots is justified.

11 References

EJE Architecture: Conservation Management Plan, Wallarah & Moonee Collieries, Catherine Hill Bay, NSW, June 2003

State Environmental Planning Policy (Major Development) 2005 and associated maps

Catherine Hill Bay (South) Development Control Plan

Giles Tribe Architects: Conservation Management Plan for Wallarah House Precinct Catherine Hill Bay, March 2009