

Godden Mackay Logan

Heritage Consultants



North West Growth Centre: Area 20 Precinct

Non-Indigenous Heritage Assessment

Revised Final Report prepared for Department of Planning NSW
November 2010

Godden Mackay Logan Pty Ltd
ABN 60 001 179 362

78 George Street Redfern
NSW Australia 2016

T +61 2 9319 4811

F +61 2 9319 4383

www.gml.com.au

Report Register

The following report register documents the development and issue of the report entitled North West Growth Centre: Area 20 Precinct—Non-Indigenous Heritage Assessment, undertaken by Godden Mackay Logan Pty Ltd in accordance with its quality management system. Godden Mackay Logan operates under a quality management system which has been certified as complying with the Australian/New Zealand Standard for quality management systems AS/NZS ISO 9001:2000.

| Job No. | Issue No. | Notes/Description | Issue Date |
|---------|-----------|-------------------------|----------------|
| 08-0474 | 1 | Draft Report | April 2009 |
| 08-0474 | 2 | Revised Report | September 2009 |
| 08-0474 | 3 | Final Report | June 2010 |
| 09-0474 | 4 | Area 20 ILP 11 inserted | November 2010 |

Copyright and Moral Rights

Historical sources and reference material used in the preparation of this report are acknowledged and referenced at the end of each section and/or in figure captions. Reasonable effort has been made to identify, contact, acknowledge and obtain permission to use material from the relevant copyright owners.

In accordance with the contract terms for this project GML:

- vests copyright in all material produced by GML (but excluding pre-existing material and material in which copyright is held by a third party) in the client for this project (and the client's successors in title); and
- retains the right to use all the material produced by GML for this project for GML's ongoing business and for professional presentations, academic papers or publications.

| Contents | Page |
|--|-------------|
| 1.0 Introduction | 1 |
| 1.1 Background..... | 1 |
| 1.2 Area 20 Precinct..... | 1 |
| 1.3 Scope and Objectives..... | 1 |
| 1.4 Report Outline..... | 3 |
| 1.5 Limitations and Qualifications..... | 3 |
| 1.6 Authorship..... | 3 |
| 1.7 Acknowledgements..... | 3 |
| 2.0 Historical Overview | 7 |
| 2.1 Early European Exploration and Settlement..... | 7 |
| 2.2 Richard Rouse and Rouse Hill House 1813–1852..... | 8 |
| 2.3 Rouse Hill Estate 1852–1950..... | 9 |
| 2.4 Former Rouse Hill Estate 1950–2008..... | 9 |
| 2.5 Endnotes..... | 16 |
| 3.0 Statutory Heritage Context | 17 |
| 3.1 Introduction..... | 17 |
| 3.2 Heritage Act 1977..... | 17 |
| 3.2.1 <i>State Heritage Register Items</i> | 17 |
| 3.2.2 <i>Section 170 Heritage and Conservation Register Items</i> | 19 |
| 3.3 Environmental Planning and Assessment Act 1979..... | 20 |
| 3.3.1 <i>Sydney Regional Environmental Plan No. 19 Rouse Hill Development Area</i> | 20 |
| 3.3.2 <i>State Environmental Planning Policy (Sydney Region Growth Centres) 2006</i> | 21 |
| 3.3.3 <i>Blacktown Local Environmental Plan 1988</i> | 21 |
| 3.3.4 <i>Baulkham Hills Local Environmental Plan 2005</i> | 22 |
| 3.3.5 <i>Regional Environmental Plan 19—Rouse Hill Development Area 1989</i> | 23 |
| 3.4 Environment Protection and Biodiversity Conservation Act 1999..... | 24 |
| 3.4.1 <i>Register of the National Estate</i> | 24 |
| 3.5 Sydney Metropolitan Strategy..... | 25 |
| 3.5.1 <i>Structure Plan for the Northwest Growth Centre</i> | 25 |
| 3.6 Non-statutory Listings..... | 25 |
| 3.6.1 <i>National Trust Register</i> | 25 |
| 3.7 Endnotes..... | 34 |
| 4.0 Identified Heritage Items, Cultural Landscape Values | 35 |
| 4.1 Introduction..... | 35 |
| 4.1.1 <i>Background</i> | 35 |
| 4.1.2 <i>General Character of the Area 20 Precinct</i> | 35 |
| 4.2 Previous Cultural Landscape and Visual Assessments..... | 35 |
| 4.2.1 <i>Rouse Hill Estate Curtilage Study, October 2003</i> | 35 |
| 4.2.2 <i>Rouse Hill House Conservation Management Plan, October 1990</i> | 37 |
| 4.2.3 <i>Heritage Study of the Northwestern Sector of Sydney, April 1984</i> | 37 |
| 4.2.4 <i>Colonial Landscapes of the Cumberland Plain and Camden, NSW, August 2000</i> | 38 |
| 4.2.5 <i>Windsor Road and Old Windsor Road Conservation Management Plan, August 2005</i> | 38 |

| | |
|---|-----------|
| 4.2.6 <i>Landscape and Visual Analysis Area 20 Precinct, January 2010</i> | 39 |
| 4.3 Opportunities and Constraints on Future Development | 40 |
| 4.3.1 <i>Rouse Hill House Estate Cultural Landscape</i> | 40 |
| 4.3.2 <i>Merriville House and Gardens</i> | 42 |
| 4.3.3 <i>Aberdoon House and Box Hill House</i> | 42 |
| 4.3.4 <i>Christ Church</i> | 42 |
| 4.3.5 <i>Windsor Road</i> | 42 |
| 4.3.6 <i>Cumberland Plain Remnant Vegetation Communities</i> | 43 |
| 4.3.7 <i>Heritage Items and Potential Heritage Items in the Vicinity of Precinct 20</i> | 43 |
| 4.4 Endnotes | 48 |
| 5.0 Potential Historical Archaeological Resource | 49 |
| 5.1 Introduction..... | 49 |
| 5.2 Heritage Listings—Archaeology | 49 |
| 5.3 Archaeological Heritage Provisions..... | 49 |
| 5.4 Site Landuse | 50 |
| 5.5 Potential Archaeological Resources..... | 51 |
| 5.5.1 <i>Potential Features—General Observations</i> | 51 |
| 5.5.2 <i>Specific Potential Archaeological Remains within the Study Area</i> | 51 |
| 5.5.3 <i>Specific Potential Archaeological Remains Beyond the Study Area</i> | 53 |
| 5.6 Factors Relevant to the Potential for Survival of the Archaeological Resource | 53 |
| 5.6.1 <i>Potential Relics</i> | 53 |
| 5.6.2 <i>Summary of the Potential Historical Archaeological Resource</i> | 55 |
| 5.7 Constraints Arising out of the Potential Historical Archaeological Resource..... | 55 |
| 5.8 Endnotes..... | 58 |
| 6.0 Interpretation Framework | 59 |
| 6.1 Introduction..... | 59 |
| 6.2 What is Interpretation?..... | 59 |
| 6.3 Opportunities for Interpretation in the Study Area | 59 |
| 6.3.1 <i>Historical Archaeology</i> | 59 |
| 6.3.2 <i>Indigenous Cultural Heritage</i> | 60 |
| 6.3.3 <i>Built Heritage</i> | 61 |
| 6.3.4 <i>Cultural and Natural Landscape Values</i> | 62 |
| 6.3.5 <i>Stories and Memory</i> | 62 |
| 6.4 Interpretation Materials and Techniques..... | 63 |
| 6.4.1 <i>Design of Public Spaces</i> | 63 |
| 6.4.2 <i>Naming of Streets and Places</i> | 63 |
| 6.4.3 <i>Public Art</i> | 64 |
| 6.4.4 <i>Signage</i> | 64 |
| 6.4.5 <i>Tracks and Trails</i> | 64 |
| 6.4.6 <i>Public Programs and Events</i> | 65 |
| 6.5 Endnotes..... | 65 |
| 7.0 Management Recommendations | 67 |
| 7.1 Introduction..... | 67 |
| 7.2 Manage the Cultural Landscape to Minimise Visual Impacts..... | 67 |
| 7.3 Manage and Promote the Integration of Heritage Places in Regional Growth Planning..... | 70 |

| | |
|--|-----------|
| 7.4 Integrate Heritage into the Precinct Vision Statement | 70 |
| 7.5 Implement the Interpretation Strategy | 70 |
| 8.0 Appendices | 75 |
| Appendix A | |
| <i>State Heritage Register Inventory sheets:</i> | |
| <i>Roads and Traffic Authority Section 170 Heritage and Conservation Register sheet:</i> | |
| <i>NSW Department of Planning Section 170 Heritage and Conservation Register sheet:</i> | |
| Appendix B | |
| <i>Blacktown City Council Local Heritage Inventory sheets:</i> | |
| <i>Baulkham Hills Shire Council Local Heritage Inventory:</i> | |
| Appendix C | |
| <i>Register of the National Estate place details:</i> | |
| Appendix D | |
| <i>National Trust Register listing cards:</i> | |
| Appendix E | |
| <i>Extract from Rouse Hill Estate Curtilage Study, prepared October 2003 by Conybeare Morrison & Partners, page 37</i> | |
| Appendix F | |
| <i>Stakeholder Meeting Notes, 25 November 2009</i> | |

1.0 Introduction

1.1 Background

In 2009, Godden Mackay Logan was commissioned by the NSW Department of Planning (DoP) to prepare a non-Indigenous heritage assessment of the Area 20 Precinct located within Sydney's Northwest Growth Centre. The assessment is required to identify and describe the cultural heritage values located within or in the vicinity of the precinct. Figure 1.1 shows the approximate location of the precinct, which is expected to accommodate 2,400 new dwellings, including medium density development.

A draft report was prepared in April, revised in September and circulated for discussion with key stakeholders. Input and comment from stakeholders has been incorporated in this final report. A masterplan and site-specific Development Control Plan (Stage 2) will next be developed, based upon the opportunities and constraints identified in the range of studies completed during Stage 1.

1.2 Area 20 Precinct

The Area 20 Precinct is 40km northwest of Sydney, bounded by Windsor Road to the east and Schofields Road to the south, with Second Ponds Creek running through the centre. The northern boundary of the precinct follows the boundaries of existing land ownership and is defined by the catchment of Second Ponds Creek. The precinct incorporates part of the Rouse Hill Regional Park and falls entirely within the Blacktown local government area. The Baulkham Hills local government area is located directly to the east of the precinct, on the eastern side of Windsor Road.

The area initially designated as the Area 20 Precinct extended only from the intersection of Windsor and Schofields roads to Second Ponds Creek. Following a review of precinct boundaries in 2008, the Riverstone East Precinct release area was transferred to Area 20 to create a precinct totalling 245 hectares.

The updated boundary of the Area 20 Precinct (study area) is shown in Figure 1.2.

1.3 Scope and Objectives

The objectives of this assessment are to:

- identify and describe the non-Indigenous heritage values within and in the vicinity of the study area;
- assess opportunities and constraints for its future development; and
- recommend appropriate measures to ensure such values are protected and integrated during the Stage 2 planning process.

The following tasks were completed to prepare this report:

Desktop Research

- Relevant heritage registers were searched to identify items within and in the vicinity of the study area. The registers included the Australian Heritage Database (including the National Heritage List, the Commonwealth Heritage List and the Register of the National Estate), the NSW State Heritage Register (SHR), the State Heritage Inventory (SHI), the National Trust

Register, *Sydney Regional Environmental Plan 19—Rouse Hill Development Area (SREP)* 1989, *Blacktown Local Environmental Plan (BLEP)* 1988, *Baulkham Hills Shire Local Environmental Plan (BHLEP)* 2005 and relevant government agency Section 170 Registers including those of the Department of Environment and Climate Change NSW, NSW Department of Planning, Roads and Traffic Authority NSW, Energy Australia, RailCorp and Sydney Water.

- Statements of significance for existing heritage items within and in the vicinity of the study area were reviewed.
- Relevant historical maps, plans and aerial photographs were reviewed to identify any existing or former structures or landscape features within or in the vicinity of the study area to identify potential archaeological sites and curtilages.
- Relevant background reports were reviewed including the Heritage Study of the Northwestern Sector of Sydney prepared by Howard Tanner & Associates in 1984, the Rouse Hill Estate Curtilage Study prepared by Conybeare Morrison in 2003, the Colonial Landscapes of the Cumberland Plain and Camden, NSW study prepared by Colleen Morris and Geoffrey Britton for the National Trust in 2000 and the Windsor Road and Old Windsor Road Conservation Management Plan, prepared by Clive Lucas Stapleton and Partners for the Roads and Traffic Authority (RTA) in 2005.
- A series of meetings were undertaken with the Historic Houses Trust of NSW (HHT) Conybeare Morrison, and Blacktown Council and the Heritage Branch of the Department of Planning to inform the draft report.

Field Survey

- Inspections of the precinct was undertaken by Godden Mackay Logan in February and March 2009 from the public domain and Rouse Hill House estate to review the results of desktop research, confirm culturally significant views, the location of heritage items and areas of archaeological potential.

Reporting

- A constraints and opportunities map has been prepared for the study area based on the results of desktop research and field surveys (see Figure 7.1).
- A summary history of the settlement and development of the study area has been prepared which includes specific reference to selected early maps, aerial photographs and subdivision plans. Detailed information from a body of published and unpublished material was also incorporated.
- An interpretation framework was prepared to identify opportunities for the interpretation of the heritage values of the study area as part of the future Indicative Layout Plan (ILP), focusing on evidence of historic subdivision and development of the study area, its major houses and associated views and vistas between them as well as their social and functional linkages.
- This report outlines the results and provides recommendations to protect and conserve the study area's identified heritage items and values during Stage 2 planning.

- Following development of a draft report and incorporation of stakeholder input, a revised report was circulated and a series of meetings and discussions provided additional comment and information. GML was also commissioned to prepare an Interpretation Strategy for the site to inform the planning process for Stage 2. This report finalises the research and consultation work and provides recommendations for the protection of culturally significant places likely to be impacted by future subdivision as part of the ILP.

The terminology used in this report is consistent with the definitions provided by *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 1999*.

1.4 Report Outline

This report is divided into the following subsections:

- An introduction to the project (Section 1.0).
- A summary history of the study area (Section 2.0).
- A description of the statutory heritage context and relevant heritage listings (Section 3.0).
- Identified heritage items and cultural landscape values (Section 4.0).
- An indication of the potential archaeological resource of the study area (Section 5.0).
- An interpretation framework (Section 6.0).
- Management recommendations for identified heritage values (Section 7.0).

1.5 Limitations and Qualifications

This report does not address the potential for the study area to contain cultural material or other archaeological evidence associated with Indigenous occupation of the site nor does it assess natural heritage values, which are the subject of separate studies.

1.6 Authorship

The project team included the following specialists from Godden Mackay Logan:

- Chris Colville, Built Heritage Specialist (project manager, fieldwork, report preparation);
- Anita Yousif, Archaeologist (historical archaeological assessment, fieldwork, report input);
- Mark Dunn, Historian (historical research, report input);
- Julia Dowling, Research Assistant (desktop research, fieldwork, report preparation); and
- Sheridan Burke, Partner (project director, input and review).

1.7 Acknowledgements

Godden Mackay Logan gratefully acknowledges the assistance of the following people:

- Lee Mulvey, Precinct Project Manager, Department of Planning;
- Zara Tai, Strategic Planner, Blacktown City Council;

- Ian Innes, Caroline Mackaness and Fergus Clunie, Historic Houses Trust;
- Colin Polwarth, Associate Director and Roopali Pandy, Senior Urban Designer, CM Plus.

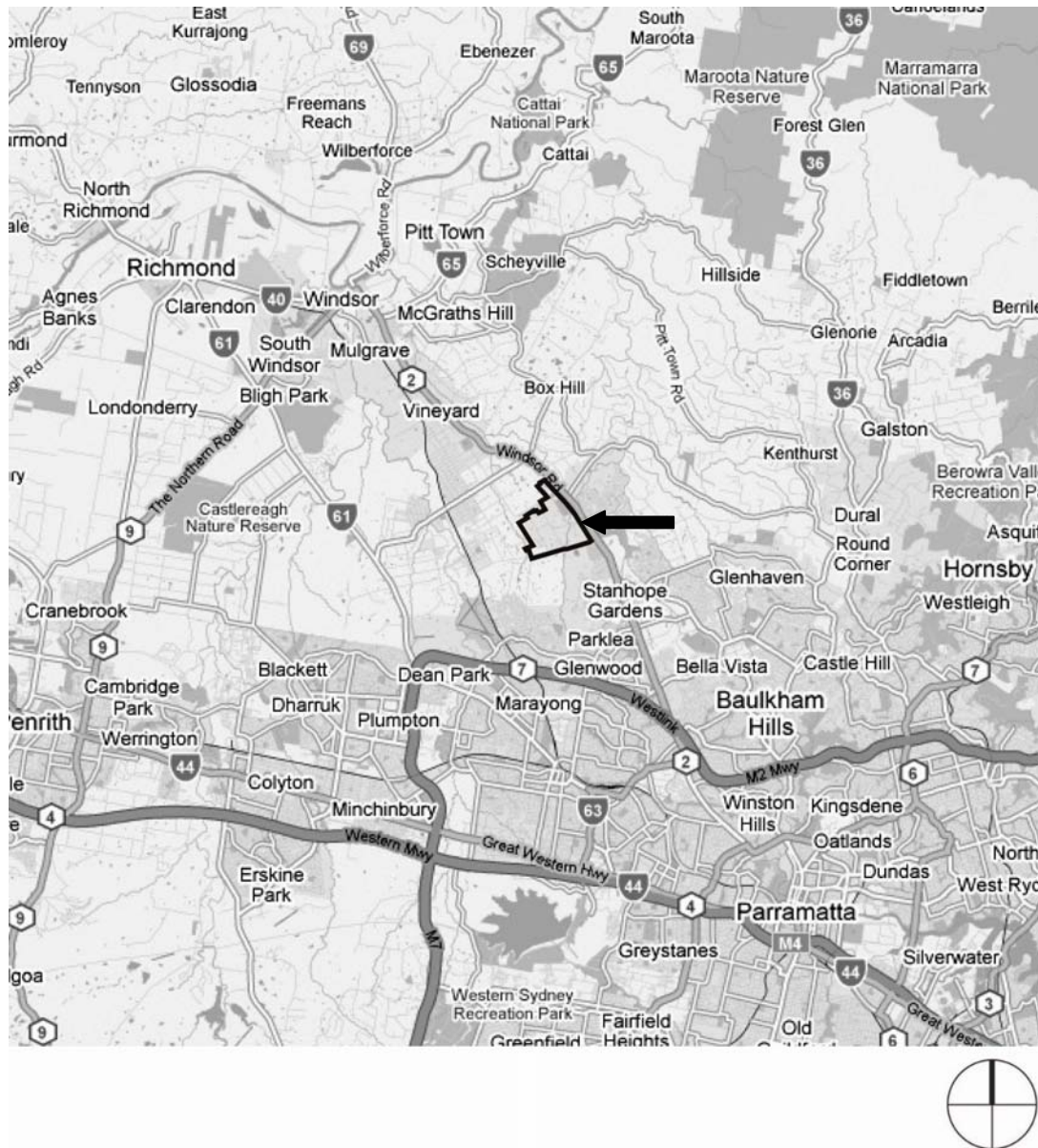


Figure 1.1 Map showing approximate location of the Area 20 Precinct. Note the arrow marks the study area boundary. (Source: Google maps with addition by Godden Mackay Logan 2009)

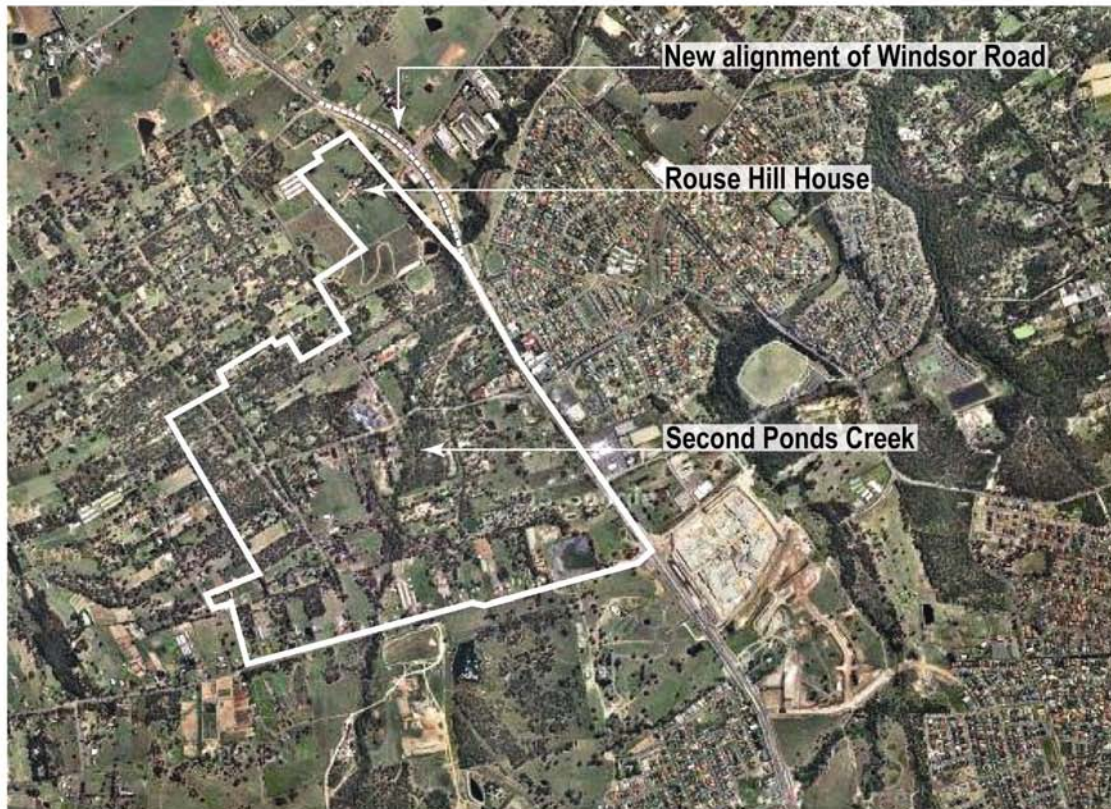


Figure 1.2 Aerial photograph of the Rouse Hill area, showing the updated boundary of the Area 20 Precinct (study area) marked by the solid white line. Note that the new alignment of Windsor Road is marked by the hatched white line. (Source: Google Earth with additions by GML 2009)

2.0 Historical Overview

2.1 Early European Exploration and Settlement

As early as 1789, within a year of the arrival of the First Fleet, European exploration of the area in and around the GCC Area 20 precinct had begun. Governor Phillip first led expeditions inland from the settlement at Sydney Cove, overland from the Manly and Middle Harbour area and later via the Hawkesbury River—a route which, although not crossing the study area, did give glimpses of it in the distance—and encouraged further exploration. Settlement in the area began to take shape from the later 1790s, first through the establishment of government farms at nearby Toongabbie in 1791 and followed by grants to emancipist and free settlers between 1793 and 1799 around Toongabbie, Kellyville and Dundas.

In 1801 a government farm was also established at Castle Hill on 34,539 acres to the south and east of the study area. It was at this government farm establishment in March 1804 that the convicts on site organised and staged an uprising. With the intention of capturing the farming establishments at the Hawkesbury and the town of Parramatta, one group of convicts headed from Castle Hill towards Windsor along the Hawkesbury Road (later renamed Windsor Road) while another, after failing to link up with rebel groups at Parramatta, concealed themselves around Castle Hill Road. Both groups failed in their objectives, being confronted and quickly put down by soldiers and armed citizens.¹ The main confrontation came at a site known afterwards as Vinegar Hill, where upwards of 230 convicts were met by a small contingent of troops who fired on and scattered the rebels in a short pitched battle. With the ringleaders captured, the main force of rebels fled through the forest and along the Hawkesbury Road, where they were pursued and overtaken by the troopers. Twelve convicts were killed during the skirmish.² The actual site of the battle has never been absolutely confirmed and debate continues amongst historians about the exact location. A memorial was established within the grounds of the Castlebrook Lawn Cemetery to the south of the study area to mark the generally accepted site of the confrontation.³

Hawkesbury Road, which the convict rebels had used, had been laid out in 1794 by Lieutenant-Governor Grose to connect Parramatta and Sydney with the new farming community established on the Hawkesbury near present-day Windsor. Using convict labour gangs, the road was built from Parramatta to the Hawkesbury River. Governor Macquarie later improved and widened the road to make it a viable access to his new towns of Windsor, Richmond, Pitt Town and Wilberforce. The name Windsor Road was adopted to recognise the growing importance of the Windsor district. As one of the colony's major roads, Windsor Road attracted a high usage as people and produce moved back and forth along it between the Windsor/Hawkesbury district, Parramatta and Sydney. The traffic also encouraged the construction of coaching inns and stopping places along the route. Two examples of these early inns remain along Windsor Road close to the study area. These are the Box Hill Inn (originally known as the Coach House Inn) built by the Rummery family in c1825 and situated to the northwest of the study area (at the junction of Windsor Road and Terry Road) and the Royal Oak Inn, constructed in c1829 on the eastern side of Windsor Road near Commercial Road (close to but outside the study area).⁴ Other early inns such as the Bird-in-Hand and the White Hart Hotel faced Windsor Road to the south of the study area.

2.2 Richard Rouse and Rouse Hill House 1813–1852

Some land grants had been made in the vicinity of the study area in the late 1790s and a few farms had been established by the turn of the 1800s. As the road was improved, more grants were taken up along the Windsor Road. The greater part of the study area lies within the boundaries of the grant to Richard Rouse, Superintendent of Public Works and Convicts at Parramatta. Rouse arrived in NSW in 1801 and was granted 100 acres on the Hawkesbury. He was appointed Superintendent of Works at Parramatta in 1805 and later supported Governor Bligh, which resulted in his losing his position following the Rum Rebellion. Rouse was subsequently reinstated by Macquarie in 1810. As part of his responsibilities, he was involved in the construction of tollhouses on the colony's roads. One of these was erected on Windsor Road in 1813. In the same year, Rouse was granted 450 acres near Vinegar Hill directly opposite the tollhouse (the grant was formalised in 1816), with construction on a country house beginning there soon after. The house was sited facing Windsor Road on a hill that afforded views over the surrounding estate, the road and the tollhouse nearby as well as vistas to the Blue Mountains in the far distance and to nearby homesteads such as Box Hill. The area was known as Rouse Hill from this period onwards.

Rouse had enclosed his land by 1817 and soon added to the estate. An extra 150 acres adjoining its southern boundary were granted to him in 1818.⁵ That year it was reported that Rouse had cleared 100 acres and kept 10 horses, 195 horned cattle, 300 sheep and 40 hogs. He was growing maize, wheat, barley, oats, peas and potatoes on the estate, with an orchard and garden also in place.⁶

By 1823 the property had increased to 1200 acres with a purchase of the 600 acres granted to his neighbour John Faultless in 1818 (see Figure 2.1). This land fronted Windsor Road from the eastern boundary of Rouse's estate to Schofields Road. Rouse had also taken up land further west around Bathurst and Gulgong from 1825 and managed over 10,000 acres by 1828 when he retired and moved back to Rouse Hill House, where he remained until his death in 1852. Other significant houses in the area included the nearby Box Hill estate (c1819) of Samuel Terry to the northwest of Rouse Hill on Windsor Road. Box Hill and Rouse Hill were to be linked through the marriage of Eleanor Rouse and John Terry in 1831, a union further strengthened with the marriage of George Terry and Nina Rouse in 1895. Merriville, built between 1817 and 1830 (exact date unknown) to the southeast on Windsor Road was another significant early homestead. Built on land granted to John Palmer, the house was initially known as Hambeldon and served for a time as a school in the 1830s.⁷ The estate was advertised in 1844 as being 1700 acres and including a store, dairy, stable and granary with flour mill. The property was also occupied by a superior cottage of eleven rooms. The estate passed through a number of hands, being purchased in the 1860s by Robert Pearce and family. The Pearce family cultivated orchards on their land.

A plan of the Windsor District in 1842 shows the Rouse Hill House estate as one of the few cleared areas along the Windsor Road. The plan shows the house paddock with the house and associated outbuildings in place. To the southwest, the forest is shown largely uncleared, with bush tracks running through it from the house to Richmond Road (see Figure 2.2).

Rouse raised stock and thoroughbred horses and managed his other properties from his Rouse Hill base.⁸ At the time of his death, the estate included the main house, a laundry addition, barn and woolshed.

2.3 Rouse Hill Estate 1852–1950

Following Richard Rouse's death, the estate was passed to his son Edwin Rouse, who moved into the house with his family from the principal family estate Guntawang near Bathurst. A view looking east from the house across Precinct 20 shows ploughed and fenced parklands, vegetation along Second Ponds Creek and Windsor Road (Figure 2.3). Edwin Rouse died in 1862 and the house and land were passed in turn to his son Edwin Stephen Rouse, who added a summerhouse, woolshed and two-storey service wing during the 1860s. In 1876 a set of stables, designed by John Horbury Hunt, were also added. The estate was run more like a country seat than a working farm, with the family properties around Bathurst generating the income that allowed Rouse Hill House to be maintained.⁹

Edwin Stephen Rouse lived with his wife Bessie (who died 1924) and family at Rouse Hill House until his death in 1931, the house and estate then passing to his daughter, Nina, and her husband George Terry.¹⁰ Nina had married George Terry of nearby Box Hill in 1894, bringing together of the two most prominent families in the district. At this stage the Rouse Hill House estate still extended across the entire study area and beyond, excluding a small pocket facing Windsor Road. The estate fronted Windsor Road between Schofields Road and approximately 400 metres beyond the current intersection with Guntawong Road. It followed Schofields Road to approximately 250 metres west of the intersection with Tallawong Road and then north to Clark Street and back to Windsor Road (see Figure 2.4).

Aerial photos from 1947 show the area as having been cleared along the Windsor Road frontage and around the home paddocks of Rouse Hill House but with substantial tree coverage in the back paddocks of the estate. It is likely that this is a mixture of remnant forest along Second Ponds Creek and regrowth through the paddocks, as much of the timber would have been cleared during the colonial period, both as a condition for the grant and as the need for building timber in Sydney, Parramatta and other growing centres provided a lucrative market for larger estates. The regeneration of the trees by the 1947 aerial photo indicates the decline in the active working life of large areas of the former farm. What would once have been the grazing paddocks for the Rouse family cattle and sheep and the fields of barley, wheat and maize had by this time had been allowed to return to a natural state.

Outside of the Rouse Hill House group there appears to be no other significant development across the study area. What appears to be a type of terracing can be seen on the banks of Second Pond Creek close to where it crosses Schofields Road. It has not been determined if this was agricultural terracing (eg vineyards) erosion or a natural feature (see Figure 2.5). Tracks and internal roads can also be discerned running out from the house across the paddocks and through the trees, with fencelines also visible dividing the paddocks.

2.4 Former Rouse Hill Estate 1950–2008

The estate had remained largely intact until the 1950s when the first of a series of subdivisions were undertaken. By the time of the death of Nina Terry (nee Rouse) in 1968 the estate had been reduced to 100 acres, with subdivision between her sons reducing it further to 20 acres. The first subdivisions were carried out in the early 1950s under the County of Cumberland Planning Scheme which allowed for minimum 2 ½ acre (1 hectare) allotments for rural sites. Although intended as a temporary guide, the resulting lot sizes, which averaged 5 acres (2 hectares) increased the density of the area considerably and in turn reduced its ability to handle increased agricultural production.¹¹

By 1961 part of the estate had been resumed for a transmission line, which ran through the western edge of the study area (see Figure 2.6), while excavation at a shale quarry located to the north of Schofields Road had also commenced. Also by this time the first roads had been created joining Guntawong Road in the northwest with Schofields Road in the southeast. Both Cudgegong and Tallawong Road had been surveyed and laid out, with Rouse Road and Worchester Road also formed. The creation of the roads allowed for the ongoing rural subdivision to proceed. The first houses had been built facing Schofields Road with some isolated construction also evident along Cudegong and Rouse Roads.

By 1970 the results of these subdivisions was beginning to become clear. Aerial photographs of the site taken in 1970 show a proliferation of small, rural allotments throughout the former Rouse Hill estate area. While some of the sites have been planted as market gardens, others appear to have small dams upon them or small scale rural industry, such as chicken farms operating on them. The areas of tree cover apparent in the 1947 aerials are once again being cleared to make way for the increasing development occurring across the area (see Figure 2.6–2.7).

In 1978 the remaining part of the estate was compulsorily acquired by the NSW State Government to conserve its heritage values. A Permanent Conservation Order was placed on the property in 1979 to protect it from proposed road widening of Windsor Road. The Planning and Environment Commission (later Department of Planning) administered the site with the Department of Public Works undertaking restoration work. In 1986 the Department of Planning transferred the property and the historic collection of furniture and other items associated with the house to the Historic Houses Trust. In 1996 an intense but subtle campaign of conservation work began on Rouse Hill House and in 1999, following the death of Gerald Terry (the last of the Terry family to occupy the house), Rouse Hill House and farm was opened to the public.¹²

In 1997, following recommendations from the Sydney Regional Plan No.19: Rouse Hill Development Area (SREP 19) prepared by the Department of Planning in 1989, 42 hectares around Rouse Hill House were declared as the Rouse Hill Regional Park by the NSW Government. In the same year it was also announced that the Rouse Hill primary school, located directly opposite Rouse Hill House on Windsor Road, would be closed and the property transferred to the Historic Houses Trust.¹³

In 2005, Windsor Road was diverted away from Rouse Hill House as part of a road upgrade. The diversion, though small, was a significant component of a NSW Government commitment to conserve the curtilage and extend the regional park around the Rouse Hill Estate. The road diversion shifted Windsor Road approximately 130 metres to the northeast of its former alignment, creating a larger buffer area between the increasingly busy Windsor Road and Rouse Hill House and bringing the Rouse Hill School into the house precinct (see Figure 2.8).

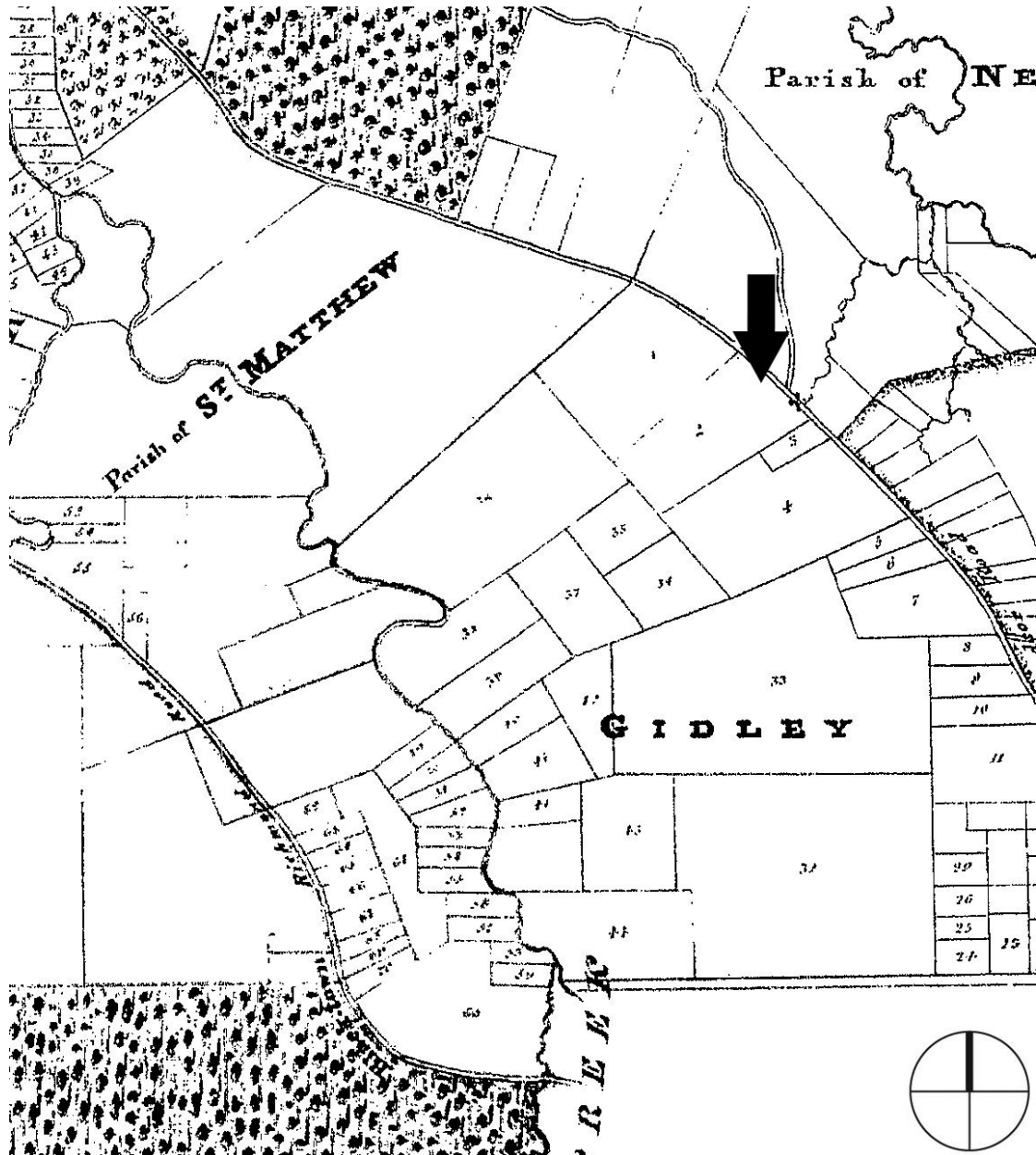


Figure 2.1 Part of 1822 plan of the Parish of Gidley near Windsor. Richard Rouse's Rouse Hill Estate is marked as Lot 2 on the Windsor Road (arrowed). The allotment of John Faultless that was later added to Rouse Hill is shown as allotment 4 to the right of the arrow, with what would become Schofields Road marking its southern boundary. Windsor Road runs diagonally across the plan section with allotments made out on both sides of its course. (Source: Mitchell Library)

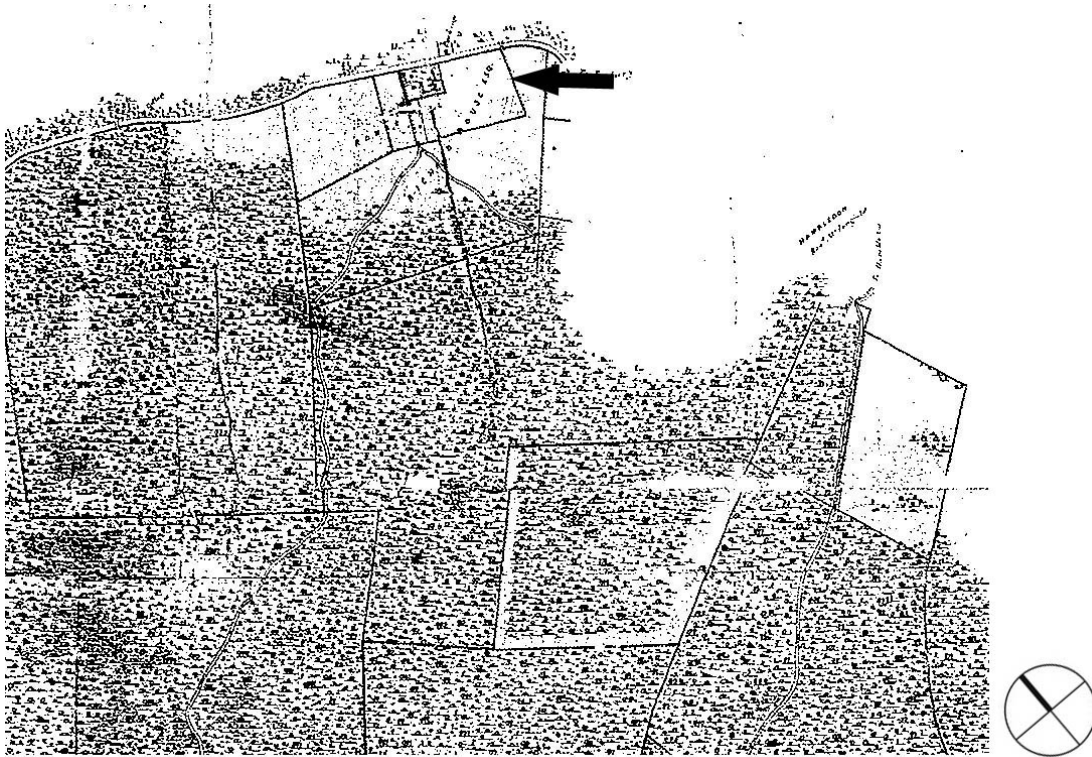


Figure 2.2 Part of 1842 plan of the District of Windsor showing Rouse Hill House and Estate (arrowed) facing onto Windsor Road and surrounded by largely uncleared forest. The house can be seen inside the smaller square home paddock, with adjacent paddocks cleared for grazing and crops. The small tollhouse, the building of which Rouse had supervised, can just be made out across the road from the house. Note the tracks that lead away from the house into the forest. (Source: Mitchell Library with additions by Godden Mackay Logan 2009)



Figure 2.3 1859 view from Rouse Hill House east toward Merriville. (Source: Wingate Collection, Mitchell Library)

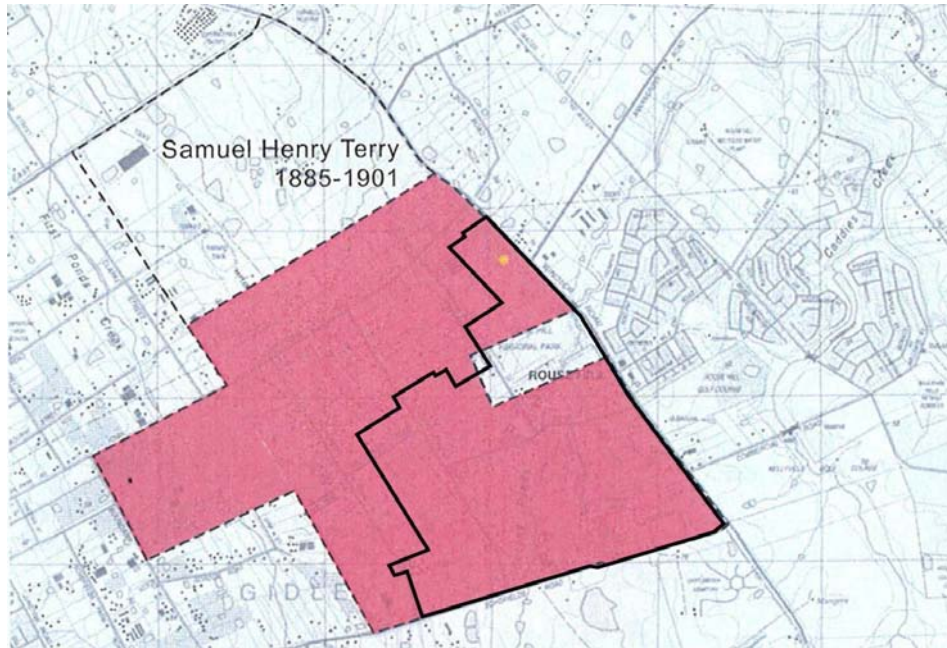


Figure 2.4 Plan showing the study area (marked by heavy black line) in comparison to the Rouse Hill Estate at its peak (pink shading). Note that the portion not shaded was 40 acres granted to Jason May, later incorporated into the Rouse Hill Estate by a government acquisition. (Source: Rouse Hill Curtilage Study prepared by Conybeare Morrison & Partners for Historic Houses Trust with additions by Godden Mackay Logan 2009)

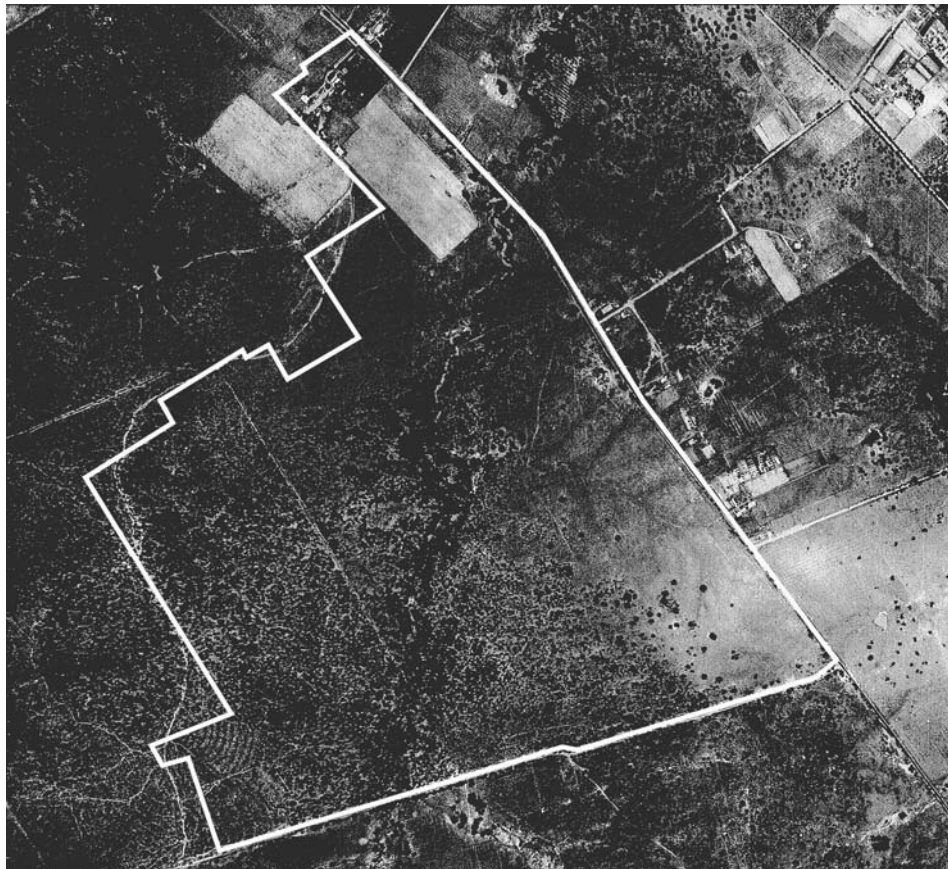


Figure 2.5 1947 aerial photograph of the Windsor Road/Rouse Hill area, with the study site boundary shown. This photo shows Rouse Hill House and cleared paddocks located in the northeast corner of the study area and the largely undeveloped nature of the remainder of the area. The estate was still largely intact at this point, with large tracts of the property still under tree cover. (Source: Department of Lands NSW)

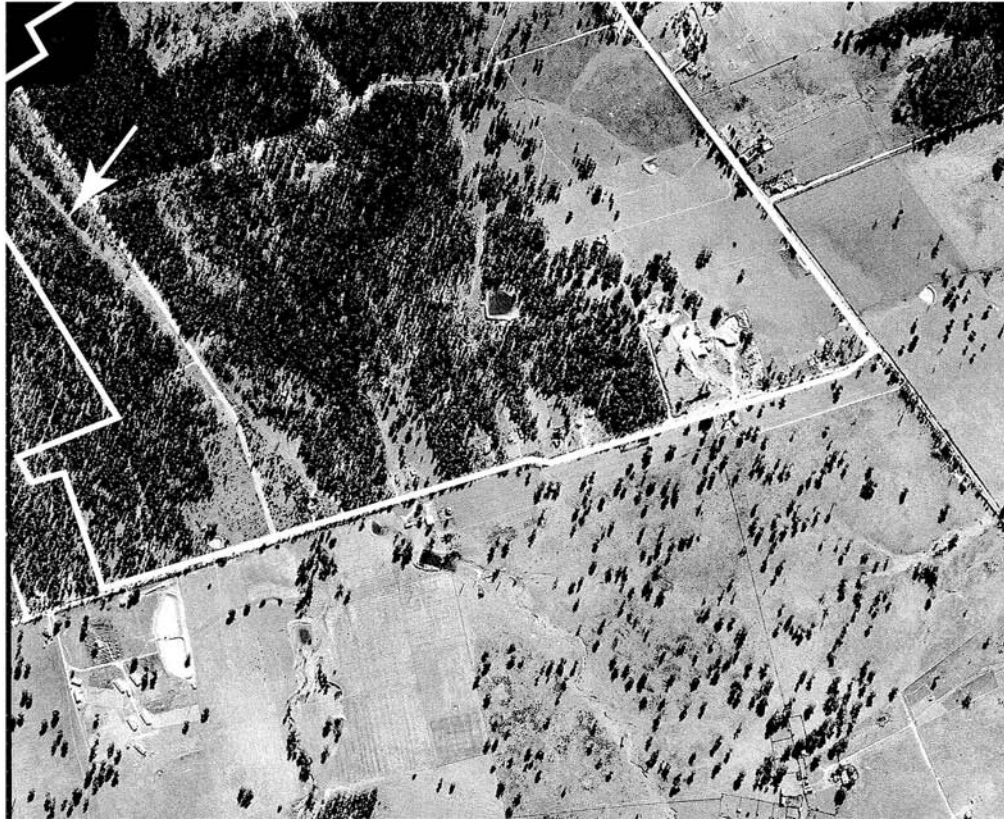


Figure 2.6 1961 aerial photograph of the Windsor Road/Rouse Hill area, with the site boundary shown (white line). Schofields Road runs diagonally across the centre of the image and is bisected by the electricity transmission line (marked by white arrow). Comparison to the 1947 aerial shows there has been some development, including the beginnings of the quarry close to the corner with Windsor Road and some houses along Schofields Road and Cudgegong Road. (Source: Department of Lands NSW)



Figure 2.7 1970 aerial photograph of the Rouse Hill/Windsor Road area, showing the study area boundary (white line). Comparison to the photo in Figure 2.5 shows the development that has taken place since the first subdivisions of the Rouse Hill Estate in the 1950s. Small-scale rural development now dominates the area fronting Windsor, Cudgegong, Tallawong and Schofields Roads. (Source: Department of Lands NSW)



North West Growth Centre - Study Area



0 2 4 6 8 10
Kilometres



GROWTH CENTRES
COMMISSION

Figure 2.8 c2006 aerial photograph of the study area. Comparison to Figure 2.6 shows the development (such as the regional park, public school, quarry and further subdivision) across the site since the 1970s. (Source: Growth Centres Commission 2009)

2.5 Endnotes

- ¹ *Sydney Gazette and New South Wales Advertiser*, March 11, 1804.
- ² *ibid.*
- ³ Riley, Cameron, The Hawkesbury Historical Society, November 2003, 'The 1804 Australian Rebellion and Battle of Vinegar Hill', <http://www.hawkesburyhistory.org.au/articles/Battle_of_Vinegar.html>.
- ⁴ Heritage Branch, Department of Planning, SHR listing Card Box Hill Inn, Royal Oak Inn (former).
- ⁵ Conybeare Morrison and Partners, *Rouse Hill Estate Curtilage Study*, prepared for the Historic Houses Trust of NSW, October 2003, p 8.
- ⁶ *ibid.*, p 8.
- ⁷ Proudfoot, H, 1987, *Exploring Sydney's West*, The Heritage Council of NSW, Sydney, p 122.
- ⁸ Lenehan, M 1967, 'Richard Rouse 1774–1852', *Australian Dictionary of Biography*, Volume 2, University of Melbourne Press.
- ⁹ Rouse Hill House and Farm Guidebook, Historic Houses Trust of NSW.
- ¹⁰ *ibid.*
- ¹¹ Information provided by Blacktown City Council.
- ¹² Conybeare Morrison op cit, p 12.
- ¹³ *ibid.*, p 12.

3.0 Statutory Heritage Context

3.1 Introduction

The *Environmental Planning and Assessment Act 1979* (NSW) (EP&A Act) and the *Heritage Act 1977* (NSW) (Heritage Act) provide the statutory basis for managing historical heritage in New South Wales. This section of the report summarises the significance of existing heritage items within and in the vicinity of the study area.

3.2 Heritage Act 1977

The Heritage Act includes a range of provisions for identifying and protecting items of environmental heritage. In addition to the establishment of the State Heritage Register (SHR)—a list of items assessed as being of State significance—these provisions include Interim Heritage Orders, Orders to Stop Work, State Authority Registers (Section 170) and relics provisions.

The SHR is a list of heritage items of particular importance to the people of New South Wales. It includes items and places (buildings, works, relics, movable objects or precincts) of State heritage significance endorsed by the Heritage Council of NSW and the Minister for Planning.

The SHR is established under Section 22 of the Heritage Act. Pursuant to Section 57(1) of the Act, the approval of the Heritage Council of NSW is required for any proposed development within the site including works to the grounds or structures or disturbance of archaeological relics.

3.2.1 State Heritage Register Items

A number of listed state heritage items are located within or in the vicinity of the study area. These are listed below (together with a summary statement of significance). Figure 3.1 shows the approximate location of these items in relation to the study area.

Rouse Hill House (within the Study Area)

Rouse Hill House, SHR listing 00002 (gazetted 2 April 1999) is located within the study area (refer to Figure 3.2). The SHR inventory provides the following statement of significance:

Rouse Hill House is one of the most significant and substantial houses of the Macquarie period which dates from 1810 to 1822. Rouse Hill House Estate is the largest and most complete publicly owned physical record - in the form of buildings, furnishings, artefacts and landscape relationship - of the occupancy and culture of a European-Australian family, encompassing the tastes, fortunes, and endeavours of seven generations from the early 19th century to the late 20th century (Historic Houses Trust 1997:8).

The property is perhaps unique for its survival as a largely intact estate with an unbroken chain of occupancy, allowing the survival of major garden and interior elements of every period of its history to the present. This layering of artefacts and fashions is especially prevalent in the gardens where designs and physical details such as edging, fencing, planting containers, bed designs and paths provide a case history for the study of the development of garden practices in Australia.

The garden is perhaps Australia's oldest surviving colonial garden in relatively intact form. The surviving physical evidence in the gardens includes borders in a variety of materials, fence and gate remnants, fragments of trellis and arbours, paving and numerous soil displacements that become evident with the location's annual dry spells. These physical remains, matched with pictorial evidence from photographs, drawings and engravings of the property, and writings, have resulted in the identification of four stages of the garden's development: c1825, c1865, c1885 and c1968. This continuity and evidence of evolution of a very

early intact garden from the first quarter of the 19th century to the Edwardian era and 20th century is extremely rare in Australia.

The SHR inventory sheet for Rouse Hill House is attached as part of Appendix A.

Box Hill House (in the Vicinity of the Study Area)

Box Hill House, SHR listing 00613 (gazetted 2 April 1999), is located to the northwest of the study area on Terry Road (refer to Figure 3.3). The SHR inventory sheet provides the following statement of significance:

Box Hill house and the remains of its former farm estate has historic and social significance as the former country seat of the 'Botany Bay Rothschild' Samuel Terry and for its long associations with the farm estates and fluctuating fortunes of the Terry and Rouse families of this district. Despite later modifications the original house dates from the 1820s and was considered 'the most improved and best managed' estate on the Windsor Road soon after. It has aesthetic significance as a prominent early estate located on a hill top along Windsor Road.

The SHR inventory sheet for Box Hill House is attached as part of Appendix A.

Box Hill Inn (in the Vicinity of the Study Area)

Box Hill Inn, SHR listing 00724 (gazetted 2 April 1999), is located to the northwest of the study area on Windsor Road. The SHR inventory provides the following statement of significance:

The former Box Hill Inn or the Rummy Homestead is considered to be an item of the state's environmental heritage because of its: historical value—it was built in 1825 and as such is a rarity in New South Wales. It is one of the earliest roadside inns and one of the few still remaining on the route between Parramatta and Windsor; cultural significance—the inn is a reminder of how distance played a significant role in the settlement of the state; and architectural significance—the inn is an example of a vernacular building whose use changed as demand required.

The SHR inventory sheet for Box Hill Inn is attached as part of Appendix A.

Former Hunting Lodge (in the Vicinity of the Study Area)

The former Hunting Lodge, SHR listing 00632 (gazetted 2 April 1999), is located to the northeast of the study area on The Water Lane. The SHR inventory provides the following statement of significance:

The hunting lodge has both historic and architectural significance as follows:

- a) for its associations with the early farms at Rouse Hill, Box Hill and Copenhagen Farm;*
- b) for its possible association with SH Terry, MLA, and;*
- c) for its rarity as a 19th century hunting lodge and its associated elements including gothic/baronial design follies and the remains of a surrounding moat.*

There are only three surviving buildings associated with the three early farms: Rouse Hill House, Box Hill House and the hunting lodge.

The SHR inventory sheet for the former Hunting Lodge is attached as part of Appendix A.

Merriville House and Gardens (in the Vicinity of the Study Area)

Merriville House and Gardens, SHR listing 00091 (gazetted 2 April 1999), is located to the south of the study area on Vinegar Hill Road (refer to Figure 3.4). The SHR inventory does not provide a

statement of significance for this item. The following statement of significance is taken from the State Heritage Inventory (SHI):

Of state significance. A very important example of an early Australian colonial house with historic associations.

The SHR Inventory sheet for Merriville House and Gardens is attached as part of Appendix A.

Royal Oak Inn (in the Vicinity of the Study Area)

The former Royal Oak Inn (now part of the Mean Fiddler Hotel complex), SHR listing 00698 (gazetted 2 April 1999), is located on Windsor Road to the east of the study area. The SHR inventory provides the following brief statement of significance:

The former Royal Oak Inn (now the Mean Fiddler Inn) is of historical and technological heritage significance because:

- *It is an important survivor of an early colonial coaching inn of the 1820-40 periods with the main part of the original complex of buildings remaining intact. (Kremmer, 1991)*
- *It is probably the only inn along the main road between Parramatta and Windsor that is conserved and which continues its use today as a 'watering hole' or 'stop over' for the general public and travellers along the Windsor Road;*
- *Its Georgian sandstone frontage and elegant verandah facing Windsor Road is a vivid reminder of a roadside inn that once were plentiful along Windsor and Old Windsor Roads (Edds, 2003)*
- *It is the site of one of the earliest licensed premises in the colony dating to 1830.*
- *It was a simple, practical design for a coaching inn which allowed its use to continue until the advent of the railways, to be adapted for residential use and later to be restored as a restaurant.*
- *It is well built with dressed sandstone Georgian facade enhanced with a handsome Colonial verandah. Its structure and fabric have survived relatively well despite changes in ownership and use. The seven main rooms and road frontage have been well conserved internally with plaster walls, lath and plaster ceilings, Australian cedar joinery and traditional hardware. Although compromised and consumed within the Irish Tavern, the L shaped coaching inn remains extant and recognisable. Its structure and fabric have survived relatively well despite changes of ownership and use.*

The SHR inventory sheet for Royal Oak Inn is attached as part of Appendix A.

3.2.2 Section 170 Heritage and Conservation Register Items

Under Section 170 of the Heritage Act, state government agencies are required to maintain a Heritage and Conservation Register of heritage elements, including those listed on the SHR that are owned or controlled by that statutory body.

The following item (part of which defines the eastern boundary of the study area) is listed on the Roads and Traffic Authority (RTA) Section 170 Register:

- Old Windsor Road and Windsor Road Heritage Precincts (Section 170 Register listing 4301011). The Section 170 Register inventory provides the following statement of significance:

The Windsor and Old Windsor Roads, as first laid out in 1794 and re-aligned in 1812–1813, are of state and national significance. They incorporate the second road to be laid out in the colony and played an important role in the settlement of the Hawkesbury region and the development of the colony of NSW.

The Windsor and Old Windsor Roads retain characteristics evocative of the historic, rural character of the Cumberland Plain, both within the current road reserve and in redundant sections outside the reserve. Together they are vital in understanding the cultural landscapes of the region.

Remaining historic road fabric, both inside and outside the current road reserve, demonstrates the methods of road construction and maintenance over two centuries.

Figures 3.5 and 3.6 show some general views of the reconstructed Windsor Road where it adjoins the Rouse Hill House Estate.

The following item in the vicinity of the study area is listed on the NSW Department of Planning Section 170 Register:

- Mungerie House, RMB 73 Windsor Road, Rouse Hill. The Section 170 Register inventory provides the following statement of significance:

Evidence of late 19th century farming. The place is also significant for its association with and evidence of the Pearce family as major graziers, orchardists, and land dealers in this part of the Shire.

Copies of the Section 170 Register listings for the above items are attached as part of Appendix A.

3.3 Environmental Planning and Assessment Act 1979

The EP&A Act provides for the preparation of planning instruments intended to guide land use and management at state, regional and local levels. It establishes a process for making and determining development applications. The main features of the EP&A Act with relevance to cultural heritage are the requirement for assessment of development proposals and a mechanism for the inclusion of heritage conservation provisions in planning instruments.

The study area is located on the eastern edge of the Blacktown City Council local government area, with the Baulkham Hills Shire local government area located to the east of Windsor Road. Heritage items in the vicinity of the study area that are listed in the Baulkham Hills LEP 2008 have also been considered. The study area is also located within an area covered by the Rouse Hill Development Area, which is addressed in the Sydney Regional Environmental Plan (SREP) 19—Rouse Hill Development Area.

3.3.1 Sydney Regional Environmental Plan No. 19 Rouse Hill Development Area

SREP 19 incorporates provisions which require applicable local environment plans to contain heritage provisions which conserve the environmental heritage significance of listed items or conservation areas.

The SREP aims to accommodate the long term growth of the Sydney Region by identifying land suitable for urban purposes and by providing for its orderly economic development. It aims to conserve and enhance areas of high landscape value and to conserve areas of cultural, historical and archaeological significance.

3.3.2 State Environmental Planning Policy (Sydney Region Growth Centres) 2006

The SEPP covers the cultural heritage landscapes are to which Part 7 of SEPP (SRGC) 2006. The living area objectives of the SEPP (SRGC) also recognised the special qualities of the area and indicated the government intentions for the area. The precinct planning package of NWGC Area 20 will include a further SEPP amendment Rouse Hill House estate and Rouse Hill Regional park have been zoned for Public Recreation—regional under the SEPP and will not change as part of this process. The Growth Centres Development Control Plan identifies stage 2 of the park as a Cultural Heritage Landscape area. The government has committed to purchasing this land in the future, which will see the entire heritage curtilage identified in the NW structure plan in public ownership.

3.3.3 Blacktown Local Environmental Plan 1988

The following heritage items are included in Schedule 2—Heritage Items of BLEP 1988 and are located within or in the vicinity of the study area.

- Battle of Vinegar Hill, 712 Windsor Road, Kellyville (SHI No. 1140025), is a memorial marking the possible battle site. The memorial is located just outside the study area to the south of the intersection of Windsor and Schofields roads (refer to Figure 3.7). The exact location of the battle site is a matter of ongoing debate. The SHI listing provides the following statement of significance:

The position overlooks Windsor Road, the site of the first military battle to have taken place on Australian soil.

The Western Sydney Thematic History, prepared by Terry Kass for the NSW Heritage Branch, Department of Planning in February 2005 provides the following explanation of the battle:

Fears of convict uprisings came to fruition in 1804 when convicts at Castle Hill partially inspired by their shared Irish sense of grievance rebelled and marched on Parramatta arming themselves on the way. Major George Johnston of the New South Wales Corps met them, with 26 men who had force-marched all the way from Sydney. Johnston daringly met the leaders of the rebels between the two vastly mismatched forces, overpowered the leaders and broke up the rebellion. This event, a short-lived battle has been celebrated by the name of 'Vinegar Hill' echoing a major battle in Ireland.¹

- Merriville House and gardens, 33 Vinegar Hill Road, Kellyville (SHI No. 1140024) is located to the south of the Battle of Vinegar Hill memorial and is in the vicinity of the study area. The SHI listing provides the following statement of significance:

Of state significance. A very important example of an early Australian colonial house with historic associations.

- Rouse Hill House and farm, 980 Windsor Road, Rouse Hill (SHI No. 1140122) is located within the study area. The SHI listing provides the following statement of significance (see Section 3.2.1):

Built by convict labour for Richard Rouse, native of Oxfordshire, who arrived in the colony as a free settler with his wife and two small children in December 1801, and was superintendent of public works at Parramatta. The land was farmed and used for horse breeding. The curtilage around Rouse Hill House contains many fine outbuildings and an intact colonial garden. It is the only house of this form and scale to have survived from the middle years of Macquarie's governorship, as it has been continually occupied, up until recently, by the Rouse/Terry family with the furniture and furnishings from each of the successive generation's occupancy.

Copies of the SHI sheets for the above listings are included in Appendix B. The heritage provisions of Blacktown LEP 1988 and the Heritage Act provisions apply.

3.3.4 Baulkham Hills Local Environmental Plan 2005

The following heritage items are listed in Schedule 1—Heritage Items of BHLEP 2005 and are located in the vicinity of the study area. Where a statement of significance is provided it is taken from the relevant Baulkham Hills Shire Council Heritage Inventory (BHHI) sheet.

- Aberdoon House (BHHI No. 53) is located on Clower Street in Rouse Hill, which is in the vicinity of the study area (refer to Figure 3.8). The BHHI listing provides the following statement of significance:

A finely sited example of superior farmhouse of the 1880s with early slab outbuilding and picket fence to road demonstrating continuity of agricultural use of land.

- Box Hill Inn (BHHI No. 40.5) is located to the northwest of the study area and is also listed on the SHR (refer to Section 3.2.1).
- Bridge structures at Second Ponds Creek (BHHI No. 230) are located under Windsor Road where it passes over Second Ponds Creek, which is on the eastern boundary of the study area (refer to Figure 3.9). The BHHI sheet for this listing provides the following statement of significance:

Clearly illustrates three successive structures built to take Windsor Road over a substantial obstacle. Significance lies in its ability to demonstrate the continuous use of this creek crossing since the early colonial period. Part of the Windsor Road, one of the most important thoroughfares in opening up the Cumberland Plain and the Hawkesbury to early settlement.

- Christ Church, Rouse Hill (BHHI No. 229) is located on Windsor Road to the east of the study area (refer to Figure 3.10). The BHHI sheet for this listing provides the following statement of significance:

[Christ Church provides] Evidence of the community centre in the Rouse Hill area in the nineteenth and first half of the twentieth centuries. The church was an educational and social focus from 1863. It reflects the Anglican ascendancy of the Rouse family in this district. It is the only Blacket church in the Council area.

- Hunting Lodge (former) (BHHI No. 194) is located at 58 The Water Lane, approximately 1km to the north of the study area. The BHHI sheet for this listing provides the following statement of significance:

Of historic significance for its association with early farms at Rouse Hill, Box Hill and Copenhagen and for its association with SH Terry MLA. As a nineteenth-century hunting lodge, it is a rare folly in Australia.

- McCall Garden Colony (BHHI No. 192) is located on Terry Road to the north of the study area and includes Box Hill House and Nelson House. The BHHI sheet for this listing provides the following statement of significance:

Significant for its association with Samuel Terry and his successors. The house itself is compromised but is of interest as it reflects an organic growth within the Terry family. The outbuilding is perhaps more important than the house.

- Box Hill House (BHHI No) 15 is located in the grounds of McCall gardens. The State Heritage Database provides the following statement of significance:

Box Hill house and the remains of its former farm estate has historic and social significance as the former country seat of the "Botany Bay Rothschild" Samuel Terry and for its long associations with the farm estates and fluctuating fortunes of the Terry and Rouse families of this district. Despite later modifications the original house dates from the 1820s and was considered "the most improved and best managed" estate on the Windsor Road soon after. It has aesthetic significance as a prominent early estate located on a hill top along Windsor Road.

- Mungerie (BHHI No. 231) is located in the Rouse Hill Town Centre adjacent to Windsor Road to the east of the study area. The BHHI sheet for this listing provides the following statement of significance:

Evidence of late nineteenth century farming. If a Pearce property, the place is also significant for its association with and evidence of the Pearce family as major graziers, orchardists and land dealers in this part of the Shire.

- Queens Arms Inn site (BHHI No. 24) is located on Windsor Road to the east of the study area. The BHHI sheet provides the following statement of significance:

Little is known of the structural history of the Queens Arms Inn. Archaeology has much to offer in understanding the building's evolution over the half-century after 1840. The hidden remains have therefore scientific significance.

- Rouse Hill Cemetery (BHHI No. 36) is located within the new Rouse Hill town centre, approximately 0.5 km east of the study area (refer to Figure 3.11). The BHHI sheet for this listing provides the following statement of significance:

Important record of district development and good example of rural graveyard with some pretensions to layout design. Contains remarkably broad range of monument styles and stone types with no intrusions of jarring ostentations.

- Rouse Hill Public School (BHHI No. 233) is located on Windsor Road to the northeast of the study area. The BHHI sheet for this listing provides the following statement of significance:

Evidence of growth of rural population in the area to justify government action to provide a new school building. Its creation was precipitated by reaction to sectarian intolerance.

- Royal Oak Inn (BHHI No. 232) is located to the east of the study area and is listed on the SHR (see Section 3.2.1).

- Windsor Road (BHHI No. 216) forms the eastern boundary of the study area. The BHHI sheet provides the following statement of significance:

The best example of a Macquarie period toll road partly in the 1794 line of the earliest track to the Hawkesbury granaries. The inns and inn sites, the suburban growth at Baulkham Hills, the village development at Kellyville in the late Victorian period and the larger properties at Rouse Hill and Box Hill evoke historical [development along this road], just as the post-and-rail fencing at Glenmore evokes the [road's] colonial rural scene.

Copies of the BHHI sheets for the above items are included in Appendix B. The provisions of Baulkham Hills LEP apply.

3.3.5 Regional Environmental Plan 19—Rouse Hill Development Area 1989

REP19 aims to provide development strategies for long-term growth in the sector, identifying the area southwest of Precinct 20 as an employment and retail centre. It also has an objective to incorporate Rouse Hill estate within regional open space, buffering its heritage values, thereby enhancing its recreational and educational role.

The following items located within and in the vicinity of the study area are listed in Schedule 1—Items of Environmental Heritage of the REP19:

Heritage Items located within the Study Area

- Rouse Hill House and outbuildings, lot 10, DP 567606, Windsor Road, Rouse Hill.
- Windsor Road Bridge over Second Ponds Creek. (on boundary of Area 20)

Heritage Items in the vicinity of the Study Area

- Box Hill House, in grounds of McCall Gardens, Terry Road, Box Hill;
- 'Rumery Homestead' (former Box Hill inn), lots 4 and 5, DP 539291, 13 Windsor Road, Box Hill;
- Christ Church, part portion 79, Parish of Castle Hill, Windsor Road, Rouse Hill;
- Former Hunting Lodge, lot 174, DP 10157, The Water Lane, Rouse Hill;
- Rouse Hill Public School, lot 21, DP 8214, Windsor Road, Rouse Hill;
- 'Royal Oak Inn', lot 3, DP 30916, Windsor Road, Rouse Hill; and
- 'Merriville', lot 1, DP 204060, Vinegar Hill Road, Rouse Hill.

3.4 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth) (EPBC Act) establishes an environmental and heritage assessment and approval system that is separate and distinct from state systems.

In 2004 a new heritage management system was introduced to protect Australia's heritage places. Key elements are amendments to the EPBC Act which include explicit requirements for cultural heritage protection, the creation of a National Heritage List (NHL) and a Commonwealth Heritage List (CHL) (plus the establishment of the Australian Heritage Council under the *Australian Heritage Council Act 2003* (Cwlth)). The study area does not contain any items on either of these lists.

3.4.1 Register of the National Estate

While the general Commonwealth Heritage system is now administered by the EPBC Act, the Register of the National Estate (RNE)—a national list of Australia's natural, historical and cultural heritage—has been retained as an indicator of heritage values and is maintained by the Australian

Heritage Council. Recent amendments to the EPBC Act mean that the RNE will cease to operate as a statutory heritage list in February 2012.

The following items located within the study area are included in the RNE:

- Rouse Hill House including stables and outbuildings, Windsor Road, Rouse Hill (Place ID 2985, registered 21 March 1978); and
- Rouse Hill House garden, Windsor Road, Rouse Hill (Place ID 2986, registered 21 October 1980).

Copies of the RNE listings are included in Appendix C.

3.5 Sydney Metropolitan Strategy

The Sydney Metropolitan Strategy is an initiative of the NSW State Government to guide growth and change in the Greater Metropolitan Area of Sydney—comprising the Sydney region together with the Central Coast, the Lower Hunter and the Illawarra—over the next 25 to 30 years. A key element of the strategy is the Land Release Plan for the Northwest and Southwest Growth Centres of Sydney, recognised as the two last remaining areas available within the Sydney basin for new urban development. The Land Release Plan has resulted in the introduction of new arrangements to fund regional infrastructure and the establishment of the Growth Centres Commission (now part of the Department of Planning) to co-ordinate the planning and delivery of new infrastructure.

The Metropolitan Strategy recognises that there is significant European heritage within the Northwest Growth Centre. It identifies that the right balance between the protection of culturally significant places and new urban development will be established through the Structure Plans for each Growth Centre.

3.5.1 Structure Plan for the Northwest Growth Centre

The Northwest Structure Plan applies the urban structure planning principles and objectives of the Metropolitan Strategy. It identifies and conserves heritage curtilages in order to:

provide an opportunity for protection of the historic, cultural and scenic significance of heritage properties ... Any land within a heritage curtilage and not located within the landscape and rural lifestyle area may be capable of future urban development, providing it is consistent with the Structure Plans and the staging and sequencing of precincts within the growth centres. Any future development within a heritage curtilage needs to demonstrate it is in keeping with the adjoining heritage item and relates to its character and setting, avoiding any adverse visual impact.²

Curtilages have been identified around the following significant places located within and in the vicinity of the study area:

- Rouse Hill Regional Park (located within the study area); and
- Box Hill House (located in the vicinity of the study area).

3.6 Non-statutory Listings

3.6.1 National Trust Register

Whilst the listing of a place in the National Trust Register (NTR) is non-statutory, it is widely recognised as an authoritative statement of a place's cultural significance.

The following item listed on the NTR is located within the study area:

- Rouse Hill House (including stables, other outbuildings and curtilage), Windsor Road, Rouse Hill.

The following items listed on the NTR are located in the vicinity of the study area:

- Christ Church, Windsor Road, Rouse Hill.
- Merrville (including outbuildings and grounds), Vinegar Hill Road, Rouse Hill.
- Rouse Hill General Cemetery (Christ Church Graveyard), Mile End Road, Rouse Hill.
- Royal Oak Inn (formerly Halfway House), Windsor Road, Rouse Hill.

Copies of the NTR listings are included in Appendix D.

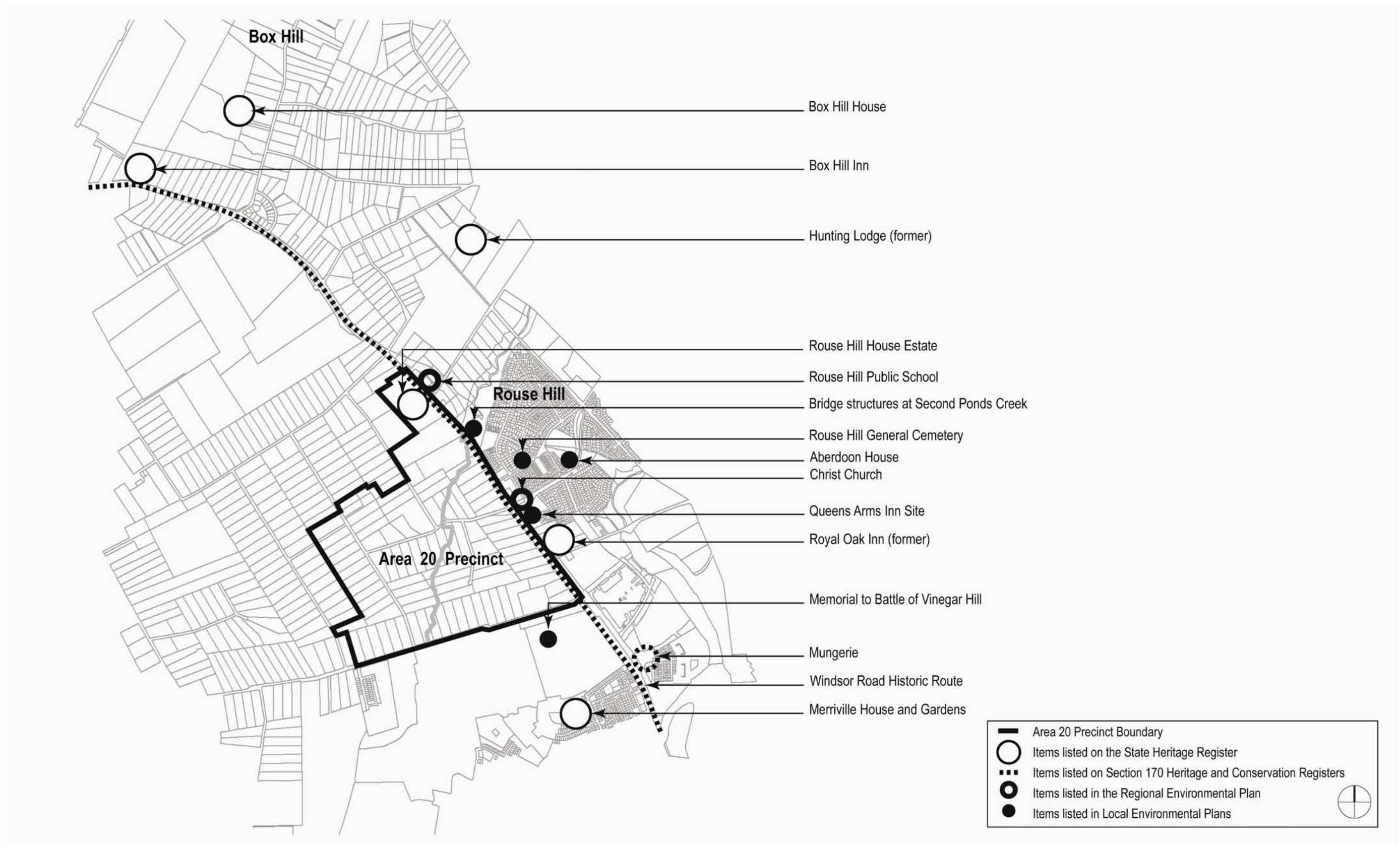


Figure 3.1 Plan of the study area and its surroundings showing approximate locations of listed heritage items. (Source: Department of Planning NSW, with GML additions 2009)



Figure 3.2 View of the south-facing elevation of Rouse Hill House, which is located within the study area. (Source: GML 2009)



Figure 3.3 View of the south-facing elevation of Box Hill House, Box Hill, located to the northeast in the vicinity of the study area. (Source: GML 2009)



Figure 3.4 View of the east-facing elevation of Merrville home of the Pearce family, located at Kellyville, to the south in the vicinity of the study area. (Source: GML 2009)



Figure 3.5 View looking south along a section of the historic Windsor Road alignment at Rouse Hill House. Note that the house and its garden is located to the right of the picture. The roofline of the former Rouse Hill Public School is just visible in the middle distance (left of picture). This portion of the road has been reconstructed, stripped of asphalt to recreate the rural character of the house and school precinct. (Source: GML 2009)



Figure 3.6 View looking north along a section of the historic Windsor Road alignment located to the east of Rouse Hill House. Note that this picture is taken from the existing bridge crossing at Second Ponds Creek. Rouse Hill House and gardens are located beyond and to the left of the ridgeline visible in the distance. (Source: GML 2009)



Figure 3.7 View of memorial commemorating the site of the Battle of Vinegar Hill located in the Castlebrook Cemetery south of the study area. Note that the exact location of the battle site remains a matter of debate among historians. (Source: GML 2009)



Figure 3.8 View of Aberdeen House, Rouse Hill, located to the east of the study area. (Source: GML 2009)



Figure 3.9 View of existing bridge piers across Second Ponds Creek beneath Windsor Road. Note that the bridge is located within the study area. (Source: GML 2009)



Figure 3.10 View of Christ Church, Rouse Hill, located on Windsor Road to the east of the study area, associated with the Rouse family. (Source: GML 2009)



Figure 3.11 View of Rouse Hill General Cemetery, located to the east of the study area. (Source: GML 2009)

3.7 Endnotes

- ¹ Kass, T 2005, *Thematic History of Western Sydney: State Heritage Register Project*, NSW Heritage Branch.
- ² NSW Government 2005, Planning Report for the Northwest Growth Centre.