

**Shell Cove Boat Harbour Precinct Concept Plan
Section 75W Modification Application
Heritage Impact Statement**

Report prepared for Frasers Property Australia Pty Ltd
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Report Register



The following report register documents the development and issue of the report entitled Shell Cove Boat Harbour Precinct Concept Plan Section 75W Modification Application—Heritage Impact Statement undertaken by GML Heritage Pty Ltd in accordance with its quality management system.

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The report has been reviewed and approved for issue in accordance with the GML quality assurance policy and procedures.

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1.0 Introduction

1.1 Background

GML Heritage Pty Ltd (GML) has been engaged by Frasers Property Australia Pty Ltd (FPA) to prepare a Heritage Impact Statement (HIS) to assess the non-Aboriginal heritage impacts of the amendments to the approved Concept Plan proposed within the Section 75W modification of the Shell Cove Boat Harbour Precinct Concept Plan.

This report provides an assessment of the potential heritage impacts on certain nearby heritage items arising from the built form changes sought in the Section 75W application in comparison to the Concept Approval at Shell Cove Boat Harbour. Changes included in the application relate to the increased height of some built forms and relocation of some massing within the commercial precinct.

Assessment of potential heritage impacts of the changes is informed by the Digital Line architectural illustrators' photomontages shown in Richard Lamb and Associates' (RLA) Visual Impact Assessment.

1.2 Site Identification

Shell Cove is a new master planned community being developed on the NSW South Coast, immediately south of Shellharbour Village. Killalea Lagoon and State Park are located to the south of the site, with the existing Shell Cove residential development to the west. This report focuses on the residential aspects of the waterfront precinct of Shell Cove located to the east of the overall project and surrounding the new Boat Harbour currently under construction. The location of the subject site and works area is shown in Figure 1.1.

1.3 Statutory Context

The site is located within the Shellharbour Local Government Area (LGA). The *Shellharbour Local Environmental Plan 2013* (LEP) is the principal environmental planning instrument applying to the land. The LEP provides for maximum heights and densities over the land. Schedule 5 of the LEP identifies heritage items and heritage conservation areas. There are no heritage items or conservation areas on the concept plan site.

Among other things, clause 5.10 of the LEP provides for the assessment of heritage impacts of proposed developments in the vicinity of heritage items and conservation areas.

Local heritage items are located approximately 300 metres to the north of the Concept Plan site around Shellharbour and within the Shellharbour village. Bass Point Reserve is a heritage item listed on the LEP and on the State Heritage Register (SHR). It is located approximately 500 metres to the southeast.

Relevant heritage items and conservation areas include:

- Cowrie Island Reserve Breakwater;
- Shellharbour Foreshore Conservation Area;
- Beachside Tourist Caravan Park and Trees;
- Beverley Whitfield Pool; and
- Bass Point Reserve.

Statements of Significance for these elements are set out in Section 2.0.

The *Shellharbour Development Control Plan* (DCP) provides broad development controls for conservation areas, heritage items and development in the vicinity of heritage items. These development controls are discussed in Section 4.0 where specific impacts are assessed.

1.4 Methodology

This report follows the methodology for assessing and reporting heritage impacts set out in *Statements of Heritage Impact* published in the New South Wales Heritage Manual by the Heritage Office (now Heritage Division) and Department of Urban Affairs & Planning 1996, revised 2002. The methodology is guided by the *Australia ICOMOS Burra Charter, 2013* (the Burra Charter) and *The Conservation Plan*, seventh edition, 2013, by James Semple Kerr.

This HIS is divided into the following sections:

- Section 2.0 presents the significance of nearby heritage items;
- Section 3.0 sets out the changes proposed in the modified concept plan;
- Section 4.0 assesses the heritage impacts of the changes proposed in the modified concept plan; and
- Section 5.0 summarises the heritage impacts and mitigation measures.

This report should be read in conjunction with Richard Lamb and Associates' (RLA) Visual Impact Assessment that includes the photomontages by Digital Line architectural illustrators.

Historical archaeological and Aboriginal cultural heritage impacts have not been assessed within the scope of this report.

1.5 Terminology

The terminology used in this report is consistent with the *NSW Heritage Manual*, prepared by the Heritage Office (now Heritage Division) and the Burra Charter.

Place means site, area, land, landscape, building or other work, group of buildings or other works, and may include components, contents, spaces and views.

Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

Fabric means all the physical material of the place including components, fixtures, contents, and objects.

Conservation means all the processes of looking after a place so to retain its cultural significance.

Maintenance means the continuous protective care of the fabric and setting of a place, and is to be distinguished from repair. Repair involves restoration or reconstruction.

Preservation means maintaining the fabric of a place in its existing state and retarding deterioration.

Restoration means returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components without the introduction of new material.

Reconstruction means returning the place to a known earlier state and is distinguished from restoration by the introduction of new material into the fabric.

Adaptation means modifying a place to suit the existing use or a proposed use.

Use means the functions of a place, as well as the activities and practices that may occur at the place.

Compatible use means a use which respects the cultural significance of a place. Such a use involves no, or minimal, impact on cultural significance.

Curtilage is defined as the area of land surrounding an item that is required to retain its heritage significance. The nature and extent of the curtilage will vary and can include but is not limited to lot boundaries and visual catchments.

Setting means the area around a place, which may include the visual catchment.

Related place means a place that contributes to the cultural significance of another place.¹

1.6 Author Identification

This report has been prepared by Don Wallace, Associate, and Claire Nunez, Associate and Manager of Heritage Places, has reviewed the report.



Figure 1.1 Aerial photograph showing the regional location of the Concept Plan site and extent in red. (Source: Google Maps, with GML overlay)

2.0 Heritage Significance

The following section contains the Statements of Significance for the following nearby heritage items and conservation area:

- Cowrie Island Reserve Breakwater (heritage item I132);
- Shellharbour Foreshore Conservation Area (conservation area C295);
- Beachside Tourist Caravan Park (heritage item I125);
- Beverley Whitfield Pool (heritage item I126); and
- Bass Point Reserve (heritage item I056 and SHR No. 01896).



Figure 2.1 Heritage Map of LEP showing nearby conservation areas and heritage items. The viewpoints for the Richard Lamb & Associates photomontages are identified as 'RLA View'. (Source: Shellharbour LEP 2013, Heritage Map, GML overlay—SHR item overlaid)

2.1 Cowrie Island Reserve Breakwater (Heritage Item I132)

The SHI contains the following Statement of Significance for the Cowrie Island Reserve Breakwater, also known as the Cowrie Island and Fish Processing Area:

High local significance for its strong links with the development of the local tourism industry and the importance of maritime leisure activities in the district. It is the only example of a designated public fish processing area in the Shellharbour LGA and relates to the importance of recreational fishing as a leisure pursuit in the area.

Cowie Island and associated rock shelves are integral to the Shellharbour Layout Group, and have major visual and aesthetic significance, contributing to the views and vistas in and out from the birth place of Shellharbour.²

2.2 Shellharbour Foreshore Conservation Area (Conservation Area C295)

The SHI contains the following Statement of Significance for the Shellharbour Foreshore Conservation Area also known as The Driftway:

Shellharbour Foreshore Conservation Area is a unique cultural landscape, with outstanding local heritage significance for Shellharbour and its people. Its special character is derived from historical layers set within a public reserve, in a quaint, and increasingly rare, historic seaside village.

Shellharbour Foreshore Conservation Area represents the evolution and growth, of both Shellharbour Village, and the Shellharbour Local Government Area, and is unparalleled in its ability to tell this story.

Individually and collectively, the natural and manmade landscape elements, view lines and vistas, and relationships with surrounding historic buildings and places, reflects major phases and themes of Shellharbour's evolution.

The foreshore demonstrates initial and successive phases of settlement and land use in the Illawarra. It has strong links with Caroline Chisholm's Shellharbour settlement scheme and the clearing lease system, which saw vast amounts of land in the area opened up for new residents, and consequent population, and economic growth, of the former Peterborough Estate.

Shellharbour Foreshore Conservation Area has strong links with the shipping and dairying industries that helped Shellharbour thrive over generations. The natural harbour adjacent to the foreshore, was first used by cedar getters in the early 1800s, working on WC Wentworth's cedar estate. Settlers later relied on shipping at the harbour to transport goods to and from the Sydney markets, until the arrival of the railway in 1887.

The foreshore has strong visual and social relationships with places within, and beyond its boundaries, like Signal Hill (The Hill) and Bass Point, and represents the growth of tourism and leisure activities like rock pool bathing, fishing and boating, in the seaside village.

Shellharbour Foreshore Conservation Area includes individual places and spaces, having significance in their own right, Little Park, Grey Park, Cowrie Island Reserve and Beverley Whitfield Pool.

The special character of Shellharbour Foreshore is derived from its historic development and associations, and its setting within the historic seaside village of Shellharbour, and the wider cultural landscape of Shellharbour City.³

2.3 Beachside Tourist Caravan Park and Trees (Heritage Item I125)

The SHI contains the following Statement of Significance for the Beachside Tourist Caravan Park:

One of the oldest and continuously used camping grounds in the Illawarra. Camping started here informally in the 1880s, on the site of the first cemetery in Shellharbour, on The Driftway. The cemetery moved to higher ground following a series of storms that destroyed many graves.

By the 1950s The Driftway had become a formally arranged caravan park managed by Shellharbour Council. Very strongly associated with the tradition of summer beach holidays that began to emerge in the late 19th century. Continually used as such throughout the 20th and into 21st centuries. Relates to the development of the local tourism industry, an important component of Shellharbour's economic development.

The trees date from Arbor days of the late 19th century. They remain major local landmarks in the wider scenic coastal scape, reinforcing the ambience of Shellharbour Village and provide amenity to users of the park. The trees are a valuable local fauna habitat.

The Driftway location itself is integral to and provides both a visual boundary for the Shellharbour historic precinct, and is within views to and from Bass Point.⁴

2.4 Beverley Whitfield Pool (Heritage Item I126)

The SHI contains the following Statement of Significance for the Beverley Whitfield Pool:

Beverley Whitfield Pool has high historic, social and aesthetic significance as the only extant example of a 19th century ocean bath in the Shellharbour area, and the only NSW ocean bath named in honour of an Olympic and Commonwealth swimmer, Beverley Whitfield. Whilst the place has been modified and upgraded, it continues to demonstrate these values.

Since 1894 the ocean baths have been an important visitor attraction for Shellharbour. Historically and socially significant for generations of swimming club members, school children, residents and visitors including holidaymakers and campers. It remains within its unchanged and aesthetically pleasing wider scenic setting.⁵

2.5 Bass Point Reserve (Heritage Item I056 and SHR No. 01896)

The SHI contains the following Statement of Significance for the Bass Point Reserve:

Bass Point Reserve is of state heritage significance for both its Aboriginal and European values; its pre- and post-contact history; and its natural and maritime heritage.

Archaeological evidence indicates that Aboriginal people have occupied the Illawarra region and Bass Point Reserve for some 20,000 years prior to the arrival of European settlers. The traditional custodians of the land, the Elouera people lived in a hunter/gatherer lifestyle, governed by the sustainable use of the environment and the resources available. Bass Point was a place of established occupation for the Aboriginal people and is regarded as a traditionally important camping and meeting place.

Bass Point has been the focus of attention from archaeologists since the late 1960s as an area that has potential to reveal significant information about pre-contact history in NSW. Twelve midden sites and one camping/meeting place have been identified and archaeological excavations have revealed the environmental change and evolution of the area over time and the development of techniques used by the Aboriginal people to hunt and gather available resources.

Alongside Burrill Lake rock shelter (which is of similar antiquity), Bass Point is considered to be one of the most significant Aboriginal archaeological sites to be excavated in NSW. It is considered to be a rare example of established occupation and continues to be of exceptionally high significance to the Aboriginal people of NSW.

Upon the arrival of European settlers to the Illawarra region in 1803, the land of Bass Point was granted to D'Arcy Wentworth, a wealthy colonial official and the Principal Surgeon and Principal Superintendent of Police. A significant colonial figure, Wentworth developed a substantial estate (of some 13,050 acres — including Bass Point) from 1821–1865 and was influential in the development of the Shellharbour area.

Bass Point also had a significant but brief association with Captain James Cook who first made note of the region and its Aboriginal occupants as the Endeavour sailed by the coastline in April 1770.

Bass Point has another brief association with the colonial explorers George Bass and Matthew Flinders who made the first recorded European visit to the region in 1796. The contemporary naming of Bass Point commemorates these early explorations.

Bass Point Reserve has significant natural features and habitats that contribute to its aesthetic value. A prominent headland in the region, Bass Point contains elements of bush, beach and ocean that create a visually spectacular environment of both land and sea.

This key coastal landscape is also regarded as highly significant for its biodiversity and pristine condition. The relatively undisturbed environment supports a variety of common, rare and endangered fauna and flora species — including littoral rainforest and habitats for the endangered grey nurse shark and sea grasses.

The maritime landscape around Bass Point Reserve also contains a number of shipwrecks and archaeological evidence, dating from 1879. The most significant and well known, the Cities Service Boston, was wrecked in May 1943 and a memorial was erected at Boston Point to commemorate the Australian lives lost in the rescue.⁶

3.0 Proposal

Cox Architecture's 'Shell Cove Boat Harbour Precinct Revised Concept Plan Design Report', February 2018, explains and details the proposed amendments to the approved Concept Plan. These include modifying heights of apartments from four to six storeys and the tallest building being an 11-storey hotel.

The following master plan configuration refinements are proposed:

- *Minor re-configuration of individual blocks to accommodate a range of building types to provide flexibility as the market changes over time. Block widths can accommodate a range of dwelling types*
- *Configuration of each block to accommodate buildings in such a way that they address the street. Specific modifications allow apartment buildings to address the public waterfront pedestrian edge with vehicle address on a new street immediately to the rear*
- *The combination of block pattern and building types will enliven and contribute positively to the public domain*

The following built form amendments are proposed:

- *Additional height is proposed to accommodate the introduction of low and mid-rise apartments. The proposed apartments are located and scaled to create an appropriate scale to surrounding areas, in particular open spaces and the waterfront. Additional height is also accommodated in the Town Centre consistent with the amenity standards set out in the Apartment Design Guide*
- *Modification of the location of the hotel within in the Town Centre to better activate the core by providing attractions at both the north and south edges of the Town Centre*

Assessment of potential heritage impacts of the changes is informed by the Digital Line architectural illustrators' photomontages shown in RLA's Visual Impact Assessment. Those photomontages show the expected built form; however, proposed public domain landscaping includes trees of *Araucaria* species, such as Cook Pines that can grow to a great height and will ultimately form a significant landscape feature across the Concept Plan site.



Figure 3.1 Existing view from location 3. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.2 View from location 3 showing built form massing of existing Concept Approval. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.3 View from location 3 showing built form massing of proposed modification of Concept Plan. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.4 Existing view from location 4. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.5 View from location 4 showing built form massing of existing Concept Approval. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.6 View from location 4 showing built form massing of proposed modification of Concept Plan. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.7 Existing view from location 5. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.8 View from location 5 showing built form massing of existing Concept Approval. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)



Figure 3.9 View from location 5 showing built form massing of proposed modification of Concept Plan. (Source: Digital Line architectural illustrators as shown in RLA Visual Impact Assessment, January 2018)

4.0 Assessment of Heritage Impact

4.1 Impact of New Development on Heritage Items in the Vicinity

Chapter 28 of the Shellharbour DCP provides development controls and guidelines for the management of European heritage. Section 28.5 provides 'context advice' for waterfront suburbs including 'Shellharbour outside CBD'. That section includes as an objective the conservation of the setting of heritage items (Objective 2). The vicinity controls in that section include provisions for new development adjoining and adjacent to heritage items and significant holiday dwellings but no specific controls for development farther away. Section 28.7 provides 'general development advice' for heritage items with the following objectives:

1. *To conserve heritage items, including significant fabric, their curtilage and settings.*
2. *To ensure new development does not have an adverse impact upon the heritage significance of heritage items.*
3. *To ensure there is a sympathetic relationship between new built form and the historic streetscape or historic setting in which a heritage item is located.*
4. *To ensure the heritage item retains its prominence and visual distinctiveness.*
5. *To ensure that the bulk and scale of additions do not overwhelm the significant building.*
6. *To ensure that additions are distinguishable from the original.*
7. *To retain the significant fabric and finishes of the heritage item.*
8. *To ensure the retention of existing heights of heritage items.*
9. *To restore and reconstruct missing elements where sufficient information is available.*
10. *To ensure that development applications for heritage items are supported by adequate documentation.*
11. *To ensure that archival records are made using best practice methods.*

Most of the controls that follow from those objectives relate to development at heritage items; however, control 28.7.25 provides that 'a heritage impact statement may be required for development adjacent to or within the vicinity of a heritage item'. This Statement of Heritage Impact has been written in accordance with the NSW Heritage Manual 'Statements of Heritage Impact' guideline in satisfaction of control 28.7.5. Potential heritage impacts on specific heritage items are discussed below.

Three views critical to assessment of heritage impacts have been selected. They are RLA's views 3 (from Bass Point Reserve to Shellharbour village), 4 (from Cowrie Island towards the Concept Plan site) and 5 (from south of Beachside Tourist Caravan Park along the beach) and are shown in the following pages.

View 3 shows that the development will be visible from this location. The modification differs from the approved plan in that it will appear higher but narrower from this viewpoint. The modification has a similar degree of impact as the approved plan.

View 4 shows that the development would be hidden behind trees in this location. At locations on Cowrie Point Reserve, there may be areas between the trees where glimpses of the development may be seen. In all views at this location, the existing trees and the land will retain their prominence in the mid-ground to the view.

The built form of both the approved plan and the modified development will be marginal and peripheral to views along the beach (View 5). Both schemes have similar impacts.

4.2 Potential Heritage Impacts on Cowrie Island Reserve Breakwater

The proposed development, in terms of built form and new plantings, may be visible from this heritage item. However, the existing trees and view to the Driftway will remain the prominent elements. The principal significance of the place, arising from maritime leisure activities, will be unchanged and would not be impacted upon by the proposed modification.



Figure 4.1 View from Cowrie Island Breakwater within the Shellharbour Foreshore Conservation Area looking south to the Driftway.
(Source: GML, December 2017)

4.3 Potential Heritage Impacts on Shellharbour Foreshore Conservation Area

This conservation area is contained by the harbour, its breakwater and the rising landform of the Driftway and Addison Street. Both the approved development and the modified Concept Plan may be visible in views to the conservation area; however, the character of the conservation area and appreciation of elements within it will not be subject to a significant adverse impact. The impacts of the proposed modification and the approved Concept Plan are similar.

The Concept Plan area is located outside view lines between the foreshore and both Signal Hill (The Hill) and Bass Point.



Figure 4.2 View within the Shellharbour Foreshore Conservation Area looking southeast. (Source: GML, December 2017)

4.4 Potential Heritage Impacts on Beachside Tourist Caravan Park and Trees

The significance of the Beachside Tourist Caravan Park's use as camping ground and caravan park would not be impacted upon by either the approved Concept Plan or the proposed modification.

The trees would remain major local landmarks in the wider scenic coastal scape, reinforcing the ambience of Shellharbour Village and provide amenity to users of the park and continue to be a valuable local fauna habitat. They would be supplemented by additional trees in the proposed modification. However, the existing trees would remain as a visual boundary for the Shellharbour historic precinct.

4.5 Potential Heritage Impacts on Beverley Whitfield Pool

The Beverley Whitfield Pool lies within the Foreshore Conservation Area. The historic, social and aesthetic significance of the Pool as the only extant example of a 19th century ocean bath in the Shellharbour area is not impacted upon by either the approved Concept Plan or the proposed modification.



Figure 4.3 The Beverley Whitfield Pool—an ocean bath. (Source: GML, December 2017)

4.6 Potential Heritage Impacts on Bass Point Reserve

Some of the significance of Bass Point Reserve arises from its Aboriginal cultural heritage significance. Assessment of impacts on those values is outside the scope of this report. The prominence of the headland will be retained in both the approved Concept Plan or the proposed modification. The proposed built form, and proposed plantings, will be visible from Bass Point Reserve but lies outside direct views from Bass Point to Shellharbour. In comparison to the approved Concept Plan, the proposed modification provides a taller element but its apparent bulk has been reduced by narrowing it from this perspective. The potential impact of the proposed modification is not substantially different from the approved scheme, which is minor.



Figure 4.4 View from the eastern end of Bass Point Reserve northwest to Shell Cove Beach and Shellharbour. (Source: GML, December 2017)

5.0 Conclusions and Recommendations

This HIS has identified and assessed the non-Aboriginal heritage impacts of the amendments to the approved Concept Plan proposed within the Section 75W modification of the Shell Cove Boat Harbour Precinct Concept Plan. This HIS has been prepared in accordance with the guidelines of the NSW Heritage Manual. This has included impact assessment on heritage items and a conservation area in the vicinity.

This report has also considered the relevant heritage planning controls in the Shellharbour LEP 2013 and the Shellharbour DCP. The comments of the Heritage Division of the Office of Environment & Heritage as outlined in its letter of 29 September 2017 have been considered in relation to non-Aboriginal heritage.

The proposed changes included in the application relate to the increased height of some built forms and relocation of some massing within the commercial precinct. The proposed modification would have similar impacts on the nearby heritage items and conservation area to those of the approved Concept Plan. No significant additional impacts arise from the proposed modification.

6.0 Endnotes

- ¹ Australia ICOMOS Inc, *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance 2013*, Australia ICOMOS Inc, Burwood, VIC.
- ² Office of Environment and Heritage, State Heritage Inventory, database number 2380132, viewed 13 December 2017.
- ³ Office of Environment and Heritage, State Heritage Inventory, database number 2380295, viewed 13 December 2017.
- ⁴ Office of Environment and Heritage, State Heritage Inventory, database number 2380125, viewed 13 December 2017.
- ⁵ Office of Environment and Heritage, State Heritage Inventory, database number 2380126, viewed 13 December 2017.
- ⁶ Office of Environment and Heritage, State Heritage Inventory, database number 5061535, viewed 13 December 2017.