



**Department of Planning & Environment
Crown Land**

Statement of Heritage Impact

Proposed Demolition

**Empire Bay Boat Shed
Sorrento Road
EMPIRE BAY, NSW**



June 2023



Statement of Heritage Impact

*Proposed Demolition
Empire Bay Boat Shed
Sorrento Road
EMPIRE BAY, NSW*

Prepared for
Department of Planning & Environment
Crown Land
by **Eureka Heritage**
Project No 230202

Report written by:

A handwritten signature in black ink, appearing to read "Sue Singleton".

Sue Singleton

Heritage Consultant & Archaeologist

June 2023

Cover Photographs: **Two views, fifty years apart, with a similar orientation, looking north from public wharf.**

Above: 2023

Below: 1970s

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It should be noted that some stories, quotes, and anecdotes have been taken from publications and resources dating back to the early-to-mid 1800s. These often reflect the outlook, attitude, prejudice, and the social values of their time, and should not be taken as indicative or reflective of the views and opinions of the author.

The Value of History Statement



*The study of the past and telling its stories are critical to our sense of belonging, to our communities and to our shared future.
History shapes our identities, engages us as citizens, creates inclusive communities, is part of our economic well-being, teaches us to think critically and creatively, inspires leaders and is the foundation of our future generations.*

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Table of Contents

1. Introduction	5
1.1 Site Location, Description	5
1.2 Project Background	8
1.3 Study Objectives & Methodology	9
1.4 Study Personnel.....	9
1.5 Acknowledgements	10
1.6 Limitations.....	10
1.7 Report Structure	11
1.8 Statutory Controls – Heritage & Archaeology.....	11
1.9 Related Studies & Reports	13
1.10 Heritage Status.....	14
1.11 Site Inspection	16
1.12 Proposed Demolition & Justification.....	33
2. History of the Empire Bay Boat Shed	35
2.1 Historical Context.....	35
2.2 Empire Bay Boat Shed/Marina 1968-1993	52
2.3 Phases of Construction and Modifications	57
3. Heritage and Archaeological Values	59
3.1 Introduction	59
3.2 Assessment of Condition & Integrity	60
3.3 Review of Landscape Significance	62
3.4 Assessment of Building Fabric	63
3.5 Review of Heritage Significance	65
3.6 Revised Statement of Heritage Significance.....	66
3.7 Heritage Curtilage.....	67
3.8 Comparative Sites	68
3.9 Synthesis and Analysis	73
3.10 Archaeological Assessment	75
3.11 Statement of Heritage Impact	78
3.12 Summary SOHI	82
4. Heritage Management	83
4.1 Recommendations.....	83
5. References	88

Figures

Figure 1.1 – Location of study site showing Empire Bay	6
Figure 1.2 – Regional location and aerial view of study site.	6
Figure 1.3 – Aerial view of study site in 2022.	7
Figure 1.4 – Empire Bay Boat Shed survey in plan 2023.	7
Figure 1.5 – Aerial view of the study site in 2020.....	8
Figure 1.6 – Heritage Items located in close proximity to study site.....	16
Figure 1.7 – Context view along the foreshore looking north-west.....	19
Figure 1.8 – Looking north to the Empire Bay Boat Shed	19
Figure 1.9 –Northern and western elevations with slipway rails in foreground.	20
Figure 1.10 – Western elevation of the boat shed showing former doorway,	20
Figure 1.11 – Jetties on the northern elevation of the boat shed.....	21
Figure 1.12 – Concrete installed over the underground fuel tanks,	21
Figure 1.13 – Detail of the northern elevation of the boat shed.....	22
Figure 1.14 – Southern elevation of boat shed with timber walkway to rear landing.	22
Figure 1.15 – Eastern elevation of the boat shed as seen from Cockle Creek.....	23
Figure 1.16 – Aerial view showing the jetties and Crown Reserve.....	23
Figure 1.17 – Context view looking north along foreshore	24
Figure 1.18 – Context view looking south along foreshore from boat shed	24
Figure 1.19 – Internal view with northern elevation at left of view.	25
Figure 1.20 – Internal view of the northern elevation with fixed timber window.	25
Figure 1.21 – Internal eastern elevation of the boat shed.....	26
Figure 1.22 – Detail of I beam gantry and roofing framework.....	26
Figure 1.23 – Timber barn style sliding doors – possibly original to 1925.....	27
Figure 1.24 – Detail of roller mechanism on western sliding doors.....	27
Figure 1.25 – Internal view of southern elevation	28
Figure 1.26 – Landing on eastern elevation of boat shed	28
Figure 1.27 – Timber doors on eastern elevation of the boat shed.....	29
Figure 1.28 – Detail of modification of door for installation of I beam for gantry.	29
Figure 1.29 – The former Davis and Settree store opposite the former boat shed,	30
Figure 1.30 – Looking north along foreshore reserve from the boat shed.	30
Figure 1.31 – Looking south from the boat shed along the foreshore reserve.....	31
Figure 1.32 – Context view from the public wharf.....	31
Figure 1.33 – Empire Bay public wharf.....	32
Figure 1.34 – Looking north from the public wharf to the boat shed at upper centre left.	32
Figure 1.35 – Demolition Plan.....	34
Figure 1.36 – Demolition Plan on aerial image.....	35
Figure 2.1 – Early 19 th century shipyards of Brisbane Water.....	37
Figure 2.2 – Parish Map 1929 – Edition 12.....	38
Figure 2.3 – Portion 123 County Northumberland Parish Kincumber 1896.	39
Figure 2.4 – Empire Bay DP 4707.....	40
Figure 2.5 – Location plan appearing on Rickard’s 1905 subdivision plans	41
Figure 2.6 - Rickard’s Sorrento Estate subdivision.....	43
Figure 2.7 – Detail of Crown Reserve	43
Figure 2.8 – Rickard’s Sorrento Estate subdivision plan, second land release.	44
Figure 2.9 – Original letter of application for Permissive Occupancy	45
Figure 2.10 – 1924 plan of proposed site of permissive occupancy	46
Figure 2.11 – The Davis and Settree Store c1930s	47
Figure 2.12 – Arthur Davis.....	48
Figure 2.13 – The Empire Bay Boat Shed jetty c1930s/1940s.....	48
Figure 2.14 – 1961 aerial showing the boat shed with single jetty.	49
Figure 2.15 – Empire Bay Boat Shed plan dated 1963.....	49
Figure 2.16 – The building site of the Erina II.....	50
Figure 2.17 – The skeletal form of the Erina II under construction.	51
Figure 2.18 – The Erina II about to be launched into Cockle Creek.....	52
Figure 2.19 – Plan of the Empire Bay Boat Shed 1976.....	53
Figure 2.20 – The Davis and Settree Store in the 1970s.	53

Figure 2.21 – The boat shed in 1978 showing the gantry structure had been installed.	54
Figure 2.22 – 1981 showing the boat shed and the slip way in use.	54
Figure 2.23 – 1983 showing the boat shed painted white.....	55
Figure 2.24 -- Crown Land Archive Plan of Special Lease 61-81	55
Figure 2.25 – Southern elevation 1993	56
Figure 2.26 – The eastern elevation during the roof replacement.	56
Figure 2.27 – Plan of early footprint of the Empire Bay Boat Shed and jetty c1940.....	57
Figure 2.28 – Modifications and additions to the Empire Bay Boat Shed 1940- 1980	58
Figure 3.1 – Foreshore reserve, boat shed (now marina) and cottages c1987	62
Figure 3.2 – A 2023 foreshore view	62
Figure 3.3 – Curtilage of the Empire Bay Boat Shed.	67
Figure 3.4 – Location of Scandrett’s Boat Shed in relation to the study site.	69
Figure 3.5 – Western elevation of Scandrett’s Boat Shed.....	70
Figure 3.6 – Southern and eastern elevations of Scandrett’s Boat Shed.....	70
Figure 3.7 – Slipway and cradle for Putt Putt boats.....	71
Figure 3.8 – Interpretation of the Yow Yow Estate	71
Figure 3.9 – Heritage listed Miranda Crescent Boat Shed.....	72
Figure 3.10 – Miranda Boat Shed, Matson Crescent, Miranda, 1943	73

Appendices

- 1 Record of Community Consultation
- 2 State Heritage Inventory Sheets

1. Introduction

Department of Planning & Environment - Crown Land, commissioned Eureka Heritage to prepare a Statement of Heritage Impact (SOHI) to assess the proposed demolition of the Empire Bay Boat Shed, the removal of underground fuel tanks and environmental remediation of the site.

In overview, demolition has been proposed in response to structural engineering assessments which conclude that the subfloor structure is in a dilapidated and structurally unsound state and is at risk of collapse it is unsafe to remove underground fuel tanks to satisfy regulatory requirements without first removing the structures. Additional consideration has been environmental contamination as a result of the use of the site as a commercial marina since the 1970s.

The purpose of a SOHI is not to 'support' a proposal as such. A SOHI should provide an objective assessment of impact, it should consider alternative options to that proposed, and provide mitigation measures and recommendations as appropriate.

To meet these overarching objectives, this study and report have been carried out according to the guidelines for heritage assessments and SOHI¹ endorsed by the NSW Heritage Council, and with reference to the Principles of the Burra Charter 2013 as applied by the Australian Chapter of the International Council on Monuments and Sites (ICOMOS)².

At the outset, it is worth noting the complex and competing issues requiring management at this site, where heritage needs to be considered against environmental and public safety issues. This report has referred to the site as the Empire Bay Boat Shed as it is considered this better reflects the provenance and heritage nature of the site.

1.1 Site Location, Description

Empire Bay is a suburb on the Central Coast of New South Wales, part of the Central Coast Local Council government area, located approximately 100 kilometres north of the Sydney CBD. The administrative centre is Gosford which is located on the northern extremity of Brisbane Water and approximately 20 kilometres to the north of Empire Bay.

The study site, the Empire Bay Boat Shed, is located on the bank of Cockle Channel, a channel of water that lies between Empire Bay and Davistown, providing water access and ferry services between Woy Woy and Empire Bay. The boat shed is sited within the public reserve of the foreshore, the land owned and managed by the Crown.

A map of Empire Bay is shown against surrounding districts and water bodies in **Figure 1.1**. An aerial view of the study site is provided in **Figure 1.2** and a detailed site plan is shown in **Figure 1.3**. A recent survey in plan is provided in **Figure 1.4**.

¹ The guidelines for statements of heritage impact are available through the NSW Department of Planning and Environment at <https://www.environment.nsw.gov.au/research-and-publications/publications-search/statements-of-heritage-impact>

² The Burra Charter may be accessed at <https://australia.icomos.org/publications/burra-charter-practice-notes/>

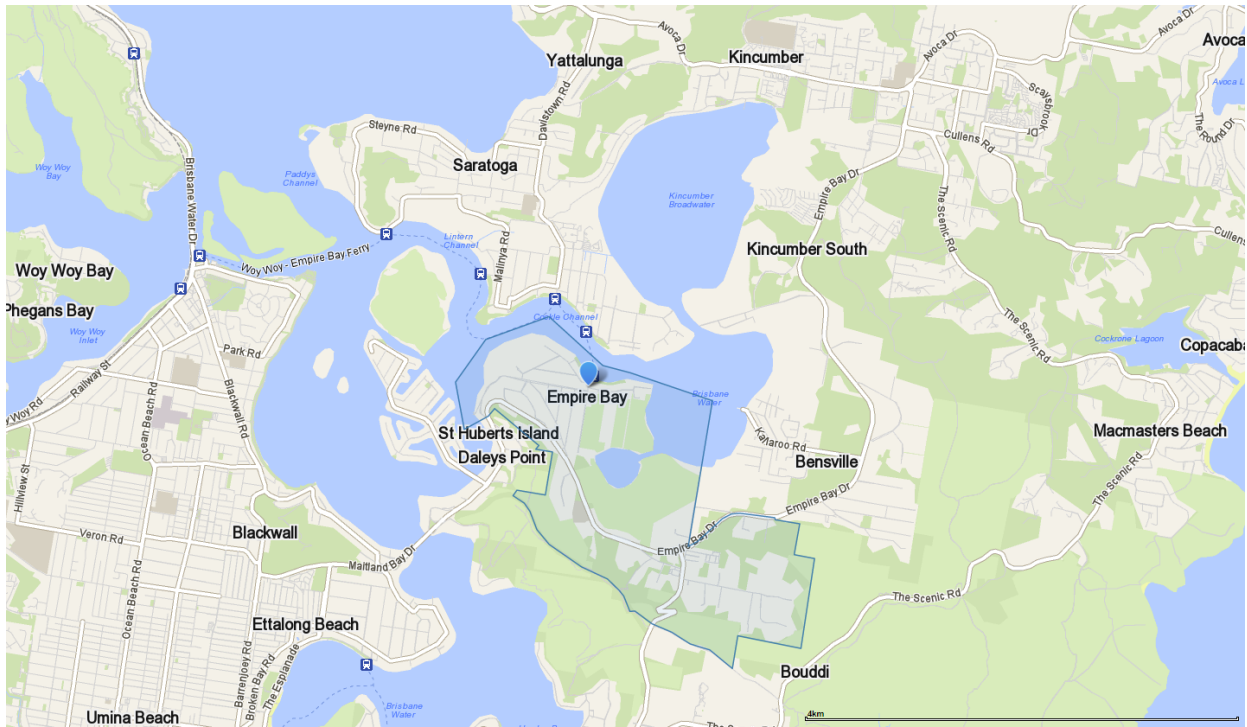


Figure 1.1 – Location of study site showing Empire Bay surrounding districts and water bodies.



Figure 1.2 – Regional location and aerial view of study site.
Source: Google Earth



Figure 1.3 - Aerial view of study site in 2022.

Source: Based on Google Earth image.

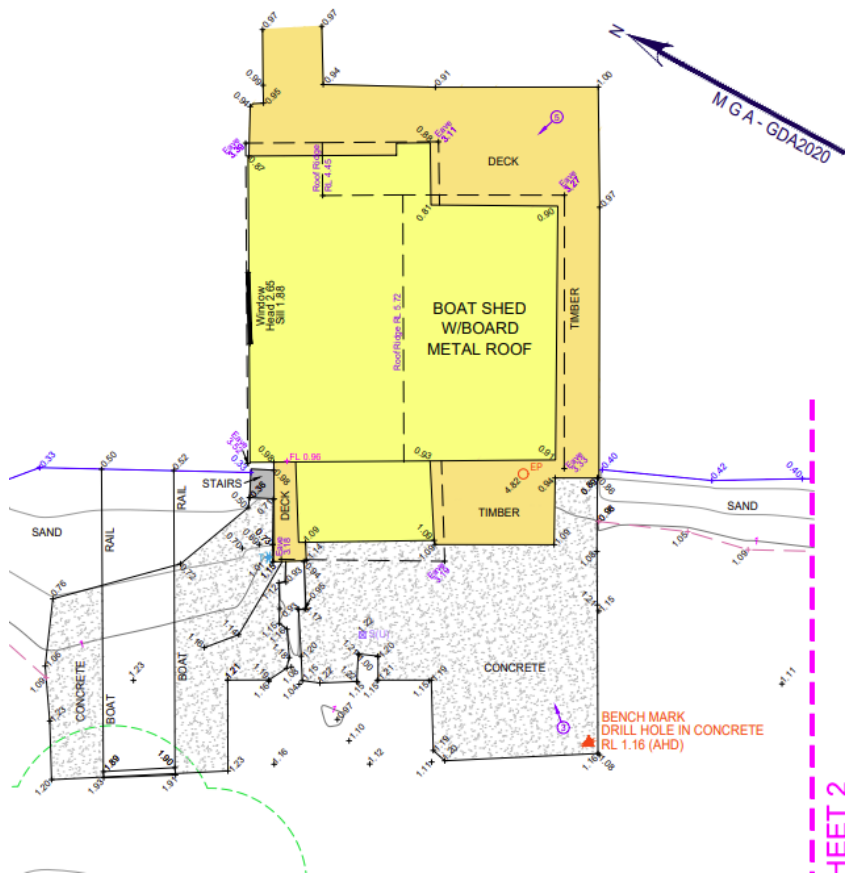


Figure 1.4 - Empire Bay Boat Shed survey in plan 2023.

Source: Catalyst Project Consulting

1.2 Project Background

The boat shed has been operating as a commercial marina, Empire Bay Marina, since the 1970s with an ever-expanding footprint including a slipway and jetties used for mooring large vessels (**Figure 1.5**).



Figure 1.5 – Aerial view of the study site in 2020 while still operating as a commercial marina.

Source: iPRA, Building Condition Report, 2020.

In late 2020, Crown Land revoked the Empire Bay Marina operator's licence due to significant and ongoing breaches of the licence conditions, and the licence holder's failure to rectify the issues despite repeated requests.

Building condition and structural engineer's reports from 2020 and 2022 found the boat shed had major structural defects, is structurally unsound and unsafe, and does not comply with the Building Code of Australia. In addition, the jetties are in poor condition and unsafe, the underground fuel tanks have not been appropriately decommissioned, and lead-based paint is peeling off the external walls of the boat shed.

Crown Land commissioned a Detailed Site Investigation (DSI) July 2021. The DSI found higher than acceptable levels of contamination at the site, from sources likely including fuel, oil, lead based paint, asbestos and antifouling³ chemicals.

In May 2022, the NSW EPA declared the site significantly contaminated under the Contaminated Land Management Act 1997.

In July 2022, SafeWork NSW issued an Improvement Notice. The initial notice stated that the underground fuel tanks and associated equipment, including vents and fuel lines, must be removed by 1 August 2023. This has now been revised with an extension granted to 31 March 2024.

³ Antifouling paint kills the larvae of barnacles, preventing their ability to establish a hold on the hull. Unfortunately, the paint's active ingredients also leach into the water and kill other organisms such as oysters. In recent years, some antifouling paints have been banned from use and alternative options are being investigated.

1.3 Study Objectives & Methodology

The principal objectives of the study were to:

- Undertake a historical investigation to establish an accurate history of the site, including the identification of a site curtilage and landscape context;
- Conduct a review of the heritage significance against the historical context of the site;
- Carry out a review of the proposed demolition and identify any potential heritage impact against the assessment of heritage significance; and
- Prepare a Statement of Heritage Impact providing appropriate management recommendations.

In order to meet the study objectives and address the requirements of a Statement of Heritage Impact, the following methodology has been used:

- the review of studies and reports related to the site, including environmental and structural assessments;
- the statutory heritage framework applicable to the site;
- the presentation of the results of historical research and historical context information;
- a synopsis and discussion of the contextual history of the site;
- a site inspection for present day context of the site;
- the review of established heritage significance;
- research for comparative sites;
- application of the standard guidelines, and address to the questions and criteria for a SOHI with an update to include the recently released 2023 guidelines;
- the formulation of appropriate management recommendations and/or mitigation measures; and
- compliance with the criteria for studies, assessment, heritage management and reporting that are established by the NSW Heritage Manual and endorsed by the NSW Heritage Council.

1.4 Study Personnel

Sue Singleton of Eureka Heritage conducted the historical research, literature review, site inspection, community liaison and report preparation for this Statement of Heritage Impact. Project Management was carried out by Catalyst Project Consulting with Milos Rastovic as Project Manager. Project Manager for Crown Land was Mark Grace.

1.5 Acknowledgements

Local historian Gwen Dundon is acknowledged for her life-long pursuit in recording the history of the Central Coast but particularly her work on the history of the boat building industry and the shipbuilders of Brisbane Water in the 19th and 20th centuries. Gwen provided Eureka with primary historical resources held in her personal archives and grateful thanks are extended. In addition, Gwen held some archive documents of the late Beryl Strom and generously provided those resources.

Peter Rea, local history/tour guide, for his passion and energy, and involvement in preserving the history of the boat building industry and the stories of the people, the boat builders, who constructed vessels on the shores of Brisbane Water in the 19th century into the 20th century.

Many Empire Bay community members contacted Eureka with information and resources, business plans and ideas on the future use of the site, some with detailed proposals for the conservation/reconstruction of the boat shed. Errol Baker represented the Empire Bay Heritage Boat Shed Association and Chris Argæet represented the Empire Bay Progress Association.

Much appreciation is extended to all who were compelled to provide their input. A record of community consultation is attached as **Appendix 1**.

1.6 Limitations

This study does not include an assessment of Aboriginal Cultural Heritage. The Empire Bay Boat Shed is located on the traditional lands of the Darkinjung People. The traditional boundaries of Darkinjung (Darkinyung) land extend from the Hawkesbury River in the south, Lake Macquarie in the north, the McDonald River and Wollombi up to Mt Yengo in the west and the Pacific Ocean in the East.

Eureka acknowledges the traditional land owners of the Central Coast LGA as the Darkinjung People with respect extended to all those who identify, live and practice Aboriginal Culture.

The scope of this heritage impact assessment has been limited to the assessment of impact of proposed demolition and remediation. It is not within the scope of this assessment of heritage impact to make a comprehensive assessment on the feasibility or long-term viability of other proposals put forward as an alternative option to demolition.

However, alternative options have been presented here for consideration. Crown Land has not supported, or committed to undertaking any alternative options to that of the proposed demolition. The merits of any alternative proposals should be the subject of a dedicated heritage assessment process, and financial and practical feasibility assessments based on detailed concepts and planning.

1.7 Report Structure

Section 2 provides the results of context studies with reference to heritage and historical records. The synthesis of contexts contained in this section has been used to inform the Statement of Heritage Impact.

Section 3 describes the proposed demolition works, defines the heritage values of the study site with a revised assessment of heritage significance, and an assessment of the potential for the proposed project to impact upon heritage values. An assessment of archaeological potential/impact is also presented. This section concludes in a formal Statement of Heritage Impact (SOHI).

Section 4 focuses on the management of the heritage values of the study site by considering any identified heritage issues, and by recommending appropriate management and/or mitigation strategies.

Section 5 provides a list of references consulted during this study.

1.8 Statutory Controls – Heritage & Archaeology

1.8.1 NSW Heritage Act, 1977

Items of environmental heritage are protected under the NSW Heritage Act 1977 (the Act). The Act provides that environmental heritage may be places, buildings, works, relics, moveable objects, and precincts of State or local heritage significance. The Heritage Act further provides measures for the protection and management of the different types of environmental heritage.

The entire Heritage Act serves to protect heritage but historical archaeological remains are additionally protected from being moved or excavated through the operation of the relic's provisions. These provisions protect unidentified relics which may form part of the environmental heritage in NSW, but which may not have been listed on statutory registers or databases.

Section 4(1) of the NSW Heritage Act 1977 defines a relic as:

Any deposit, artefact, object or material evidence that:

- Relates to the settlement of the area that comprises NSW, not being Aboriginal settlement; and
- Is of State or local heritage significance.

There are two levels of heritage significance defined by Section 4A of the Act as follows:

'State heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to the State in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

'Local heritage significance', in relation to a place, building, work, relic, moveable object or precinct, means significance to an area in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item.

According to the Act no disturbance or excavation may proceed that may expose or discover relics except with an Excavation Permit and that an excavation permit is required, if a relic is:

1. Listed on the State Heritage Register (state significant items), pursuant to **Section 60** and **Section 63** of the Act; and
2. Not listed on the State Heritage Register (locally significant items on the SHI and those considered as locally significant items through assessment), pursuant to **Section 140** and **Section 141** of the Act.

According to **Section 146** of the Act:

A person who is aware or believes that he or she has discovered or located a relic (in any circumstances, and whether or not the person has been issued with a permit) must:

- (a) within a reasonable time after he or she first becomes aware or believes that he or she has discovered or located that relic, notify the Heritage Council of the location of the relic, unless he or she believes on reasonable grounds that the Heritage Council is aware of the location of the relic, and
- (b) within the period required by the Heritage Council, furnish the Heritage Council with such information concerning the relic as the Heritage Council may reasonably require.

For sites not listed on the SHR or under an Interim Heritage Order, **Section 139(4)** the Act includes exceptions for works in relation to relics which may not need an excavation permit if they fall within specified terms. The relevant exceptions are:

- (1B) the excavation or disturbance of land will have minor impact on archaeological relics including the testing of land to verify the existence of relics without destroying or removing them; or
- (1C) a statement describing the proposed excavation demonstrates that evidence relating to the history of nature of the site, such as its level of disturbance, indicates that the site has little likelihood of relics or no archaeological research potential.

The Distinction Between a *Work* & a *Relic*

In circumstances where there is little likelihood that relics exist or that such relics are unlikely to be of a significant nature, and/or that disturbance will result in a minor impact and/or where excavation involves removal of fill only, the Heritage Act makes provision for the granting of an **exemption** to the need for an excavation permit for State significant sites under s57(2) of the Heritage Act, or an **exception** to the need for an excavation permit for locally significant sites under s139(4).

An archaeological ‘relic’ under the Act is an archaeological deposit, resource or feature that has heritage significance at a local or State level. In reference to the definition of *environmental heritage* contained in the Act, a *work* is not further defined by the Act, but dictionary definitions are adopted such that a work is taken to mean ‘*an engineering structure, such as a building, bridge, dock, etc.*’. As such structures such as bridges, culverts, building footings, industrial sites and drains are by definition considered ‘works’ not relics.

It is therefore reasonable to define the Empire Bay Boat Shed, its supporting piers, landings, jetties and curtilage as a work, not a relic.

The implications of the definition are that where a *work* will be impacted, there is no requirement for a statutory permit application under the NSW Heritage Act 1977. However, the potential for the relics' provisions of the Heritage Act to be triggered should be carefully considered if a site is to be disturbed and there is a potential for *relics* to be exposed in close proximity, or in association with, a *work*. If the exposure of relics is considered possible, appropriate management measures should be put in place, including application for the appropriate permit. In addition, an item, element, or site defined as a work and considered to attain a level of heritage or archaeological significance, should still be the subject of appropriate heritage and/or archaeological management.

1.8.2 Central Coast Local Environment Plan 2022

In addition to the NSW Heritage Act, Local Environmental Plans protect heritage and archaeological resources through Clause 5.10 and Schedule 5.

Clause 5.10 of the Central Coast LEP 2022 (formerly the Gosford LEP 2014) provides the framework for heritage conservation in the Central Coast LGA. The objectives of Clause 5.10 are as follows:

- a) to conserve the environmental heritage of the Central Coast,
- b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- c) to conserve archaeological sites,
- d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

1.9 Related Studies & Reports

This heritage assessment report has been informed by many studies, reports, and publications. Technical and specialist reports are listed below. Where information is available within associated technical reports, it may have been referenced, but it is not duplicated here. Please consider these reports as supporting documents to this assessment, and reference as is necessary for additional detail, additional site images and non-heritage related background material.

- *Structural Report for Empire Bay Marine Structure* prepared by Northrop Consulting Engineers Pty Ltd for Crown Land in November 2022. This report provides detailed information on the structural integrity of the building.
- *Building Condition Report* carried out by iPRA Pty Ltd for Crown Land in 2020. This report provides a comprehensive assessment of the structural condition and integrity based on current industry guidelines and standards (the iPRA report 2020)
- *Report on Detailed Site Investigation (Contamination)*, prepared for Crown Land in 2021 by Douglas Partners. Provides detailed information on the contamination status of the site.

1.10 Heritage Status

Heritage registers and inventories are lists of identified items of heritage significance. In addition to listing heritage items, these registers may provide information on nearby and/or comparative sites which can be used to assist in the evaluation of the relative significance of a site.

The State Heritage Register (SHR) is managed by the NSW Heritage Council and comprises a list of heritage items of particular importance to the people of NSW. Items appearing on the SHR are considered significant to the State and are afforded statutory protection.

The State Heritage Inventory (SHI) is a listing of heritage items within NSW and is also managed by the NSW Heritage Council. It comprises a database of heritage items listed by Local Government and State Agencies across NSW as the result of heritage studies. Items listed on the SHI are considered locally significant and subject to protection through local government processes. The SHI also contains items listed by various organisations and government entities on their individual Local Environmental Plans and s170 registers.

In addition to the technical site reports detailed above, heritage registers, inventories, historical/heritage studies and/or publications relevant to gaining a background understanding for this assessment are:

- The State Heritage Inventory (SHI);
- Central Coast Local Environmental Plan 2022 (CC LEP 2022);
- *A Thematic History of the City of Gosford, Final Draft Report* prepared by Dr Terry Kass for Gosford City Council in January 2016.
- *Gosford/Wyong History and Heritage* by Beryl Strom in 1982 is the first listing of heritage sites to be compiled for the Central Coast.
- *Unlocking Land: A Guide to Crown Land Records* by Terry Kass in 2019.

1.10.1 Heritage Listing

The Empire Bay Boat Shed is listed as an item of local heritage significance on the Central Coast LEP 2022. The listing dates to 2014 and the former Gosford LEP 2014. It is notable that at the time of her heritage study in 1982, Beryl Strom listed five sites in Sorrento Road; one of which was the former shop, the Davis and Settree Store and the former Empire House house at 10 Sorrento Road Empire Bay, but did not list the Empire Bay Boat Shed at that time. This may have been due to use of the shed at that time as a marina, whereby the heritage association and any values had been obscured.

The State Heritage Inventory recorded the following assessment of heritage significance for the Empire Bay Boat Shed, dated December 2014, and presumably the site was entered at the time of listing on the, then, Gosford Local Environmental Plan. The complete set of current inventory sheets is provided in **Appendix 2**.

The Empire Bay Boatshed, off Sorrento Road, on the foreshore of Empire Bay has historic and social significance as an important element in a precinct of early buildings on the foreshore of Empire Bay associated with the development of the area. Adjoining a public reserve fronting a residential strip, the boatshed is an important feature of the landscape.

Historical significance is attributed as the Boatshed marks the early development of boat maintenance and repair associated with the need for boat and ferry access around the settlements fronting Brisbane Water. The sheds and workshops included a range of skills from boat carpentry and joinery to engine servicing and mooring maintenance.

Aesthetic/Technical significance was attributed to the simple vernacular structure and associated jetty and moorings [which] retains the character of a shed and workshop and after successive adaptations remains to provide comparable services required today

Rarity is attributed as commercial facilities are increasingly rare on the waterfront due to the complexities of leasing and regulations making this facility rare at the local level.

Integrity/Intactness were both assessed as good, with additional commentary that the building appeared generally sound.

It should be noted that the assessment of heritage significance of 2014 does not appear to have been substantiated with a dedicated historical study or rigorous assessment process. Rather, the boat shed had been mentioned for consideration for inclusion in an earlier heritage study carried out for the former Gosford City Council. Such studies were not designed to be prescriptive or conclusive, but rather functioned as a precautionary measure triggering additional, substantive study should major changes be proposed. Often sites were included in response to community consultation.

The concept of heritage significance is often associated with, and reflects, community views and values, which can change over time. There can also be competing views and values at any given time that can be influenced by social and political forces. It is important that assessments are made on substantive information gained through rigorous research, and that an assessment remains independent of community and political influence.

As a comprehensive history of the Empire Bay boat shed did not appear to exist, and much historical speculation apparent, it became imperative that an accurate history of the site be established. An accurate historical context would then provide a base for the review of the current heritage significance. An accurate assessment of significance is then crucial in the formulation of appropriate heritage management strategies in order to comply with the standards of the NSW heritage management framework.

It is important to note that this project involves complexities, with competing priorities of environmental contamination and public safety. Standard practice in this situation, is that public safety must be prioritised within the heritage management framework and Crown Land has advised it is committed to prioritising public safety on public land.

1.10.2 Empire Bay Heritage Items

Heritage items located in close proximity to the study site are listed in the table below and shown in relation to the study site in **Figure 1.6**. There are no heritage items at direct risk of impact from the proposed demolition works. A due diligence approach would avoid any risk of inadvertent impact.

Item	Location	Significance	LEP Ref #
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War memorial	Corner of Sorrento and Kendall Roads	Local	I35
House, former boarding house, “Empire House”	8 Sorrento Road	Local	I36
Empire Bay Store and residence	12A Sorrento Road	Local	I37
Study site - Boat shed	16B Sorrento Road	Local	I38
House	24 Sorrento Road	Local	I39



Figure 1.6 – Heritage Items located in close proximity to study site.
 Source: Based on Google Earth image.

1.11 Site Inspection

Site inspection was carried out in March 2023, and a second inspection in June 2023 with general notes and observations provided below. A photographic record of site inspection has been provided from **Figure 1.7** to **Figure 1.34** where captions provide additional contextual information. Milos Rastovic of Catalyst Project Consulting and Mark Grace from Crown Land attended during both site inspections.

Structural assessment identified major failures with the piers and supporting timbers of the boat shed, resulting in safety concerns and limited access for internal inspection. Some internal views have been included here. However, additional, detailed internal views and views of the sub-structure are presented in Northrop, 2022 and in iPRA, 2020.

Observations at site inspection:

- The boat shed is set along the retained shoreline and bank of Cockle Channel and is distinctive from a distance due to its coat of salmon coloured paint. Beneath the salmon paint a lighter coloured coat of cream or white can be seen.
- The boat shed presents as a weathered, timber clad structure with corrugated iron roof (appearing to be relatively new in long sheets rather than short sheets).
- Fencing has been installed to restrict public access.
- Landings and jetties were in extremely poor condition, again in an obvious state of degradation to the point of being dangerous. To make safe, jetty boards had been removed and access restricted.
- A small jetty directly adjoins the boat shed from a rear landing, with two jetty arms located adjacent. Another jetty is located to the north of the boat shed, a section reportedly removed to allow access to the slipway.
- Slip way rails were located adjacent to the shed to the north with a failing concrete slab beneath. No evidence of a slipway cradle remained.
- Evidence of what appeared to be an earlier slipway, consisting of remnants of timber piers, was observed between the existing rails and the northern elevation of the shed.
- Underground fuel tanks were noted, present beneath a concrete slab to the west of the shed.
- A motor room has been tacked to the western elevation of the boat shed to house the motors used to lift vessels up the slipway. (Not inspected internally).
- Although not inspected too closely, observations of the sub-structure were alarming and it was obviously in a highly degraded/dangerous state, even to the untrained eye.
- Aluminium windows were observed in the gables of the western and eastern elevations, having likely replaced what would have originally been timber windows.
- A fixed timber window was observed on the northern elevations. Framework of a former window was also observed on the southern elevation but obscured by external boards.
- Timber barn style sliding doors (possibly original) were present on the western elevation, but obscured externally by covering boards.
- Sheets of (marine) ply had been used to roughly patch holes in the external cladding and the flooring.
- A mezzanine level appeared too precarious to inspect but was readily identifiable as a relatively recent modification.
- Lining boards had been installed on the internal framework on the northern and southern wall. Unlined walls indicated that the boat shed had not been lined when constructed.

- An I beam gantry lifting system was present on the eastern elevation of the shed extending into the southern portion of the shed. Based on the way in which the I beam had been installed, the gantry appears to have been a modification created from second-hand material. This was confirmed on the eastern external elevation, where the timber doors had been modified, brackets used to connect the I beam to the framework, and additional piers installed to support the beam externally. One section of beam displays an early BHP mark – supporting the notion of the re-use of material from elsewhere.
- The landscape setting is open space, public reserve that runs along the foreshore with a residential strip bounding the reserve to the west, with residences overlooking the boat shed and the Cockle Channel.
- A children’s playground was located at the northern extreme of the reserve.
- A public jetty was located within approximately 100 metres to the south of the boat shed and used by present-day ferry service.
- The foreshore of Davistown is visible across the Cockle Channel.
- During site inspection, a high level of pedestrian (and canine) traffic was noted making use of the reserve.



Figure 1.7 – Context view along the foreshore looking north-west from the boat ramp and public wharf.



Figure 1.8 – Looking north to the Empire Bay Boat Shed showing jetties and floating silt curtain installed by Crown Land to contain debris.



Figure 1.9 –Northern and western elevations with slipway rails in foreground.



Figure 1.10 – Western elevation of the boat shed showing former doorway, now sealed and obscured, and c1980s addition housing motors for pulley system used to raise boats on slipway.



Figure 1.11 – Jetties on the northern elevation of the boat shed.



Figure 1.12 – Concrete installed over the underground fuel tanks, looking north along reserve.



Figure 1.13 – Detail of the northern elevation of the boat shed showing deterioration of timber cladding and slipway rails below HWM.
Image by Catalyst Consulting.



Figure 1.14 – Southern elevation of boat shed with timber walkway to rear landing.
Image by Catalyst Consulting.



Figure 1.15 – Eastern elevation of the boat shed as seen from Cockle Creek.
Image by Catalyst Consulting.



Figure 1.16 – Aerial view showing the jetties and Crown Reserve with the former Davis and Settree General Store shown at blue arrow.
Image by Catalyst Consulting



Figure 1.17 – Context view looking north along foreshore from the boat shed to the children’s playground.



Figure 1.18 – Context view looking south along foreshore from boat shed towards the public wharf.



Figure 1.19 – Internal view with northern elevation at left of view. Stairs to mezzanine level are shown with salvaged jetty timbers stored on the floor, with salvaged external signage and aerials.



Figure 1.20 – Internal view of the northern elevation with fixed timber window.



Figure 1.21 – Internal eastern elevation of the boat shed showing roof framing and I beam installed for gantry crane. Sheeting obscured the double doors to the landing.



Figure 1.22 – Detail of I beam gantry and roofing framework.



**Figure 1.23 – Timber barn style sliding doors – possibly original to 1925.
These doors were obscured from view externally.**



Figure 1.24 – Detail of roller mechanism on western sliding doors.



Figure 1.25 – Internal view of southern elevation showing the window glass now removed and remnants of workbenches.



Figure 1.26 – Landing on eastern elevation of boat shed with uprights to support gantry – a modification dating to the 1980s. Beyond are jetties dating to the 1980s.



Figure 1.27 – Timber doors on eastern elevation of the boat shed which appear to be original fabric although modified for gantry structure.



Figure 1.28 – Detail of modification of door for installation of I beam for gantry.



Figure 1.29 – The former Davis and Settree store opposite the former boat shed, now part of a sympathetic adaptive modification as residence.



Figure 1.30 – Looking north along foreshore reserve from the boat shed.



Figure 1.31 – Looking south from the boat shed along the foreshore reserve.



Figure 1.32 – Context view from the public wharf looking north along foreshore reserve with the boat shed at centre right.



Figure 1.33 – Empire Bay public wharf.



Figure 1.34 – Looking north from the public wharf to the boat shed at upper centre left.

1.12 Proposed Demolition & Justification

Demolition of the Empire Bay Boat Shed has been proposed due to the advanced state of degradation in the structural integrity of the both the sub-structure and superstructure.

The proposed demolition is understood to comprise the following works:

- Removal of all structures above the Mean High Water Mark (MHWM):
 - Remove timber jetty boardwalk, beams and joists.
 - Trim taller piles to match the jetty piles.
 - Remove light poles, aerials and vent pipes on Jetty.
 - Cut and remove slipway rails above MHWM.
 - Remove part concrete hardstand fronting the boat shed as far as reasonably practical, allowing for UPSS (Underground Petroleum Storage System) removal.
- Demolition of boat shed:
 - Demolish all elements above the MHWM including of beams and joists.
 - Decommission and remove UPSS tanks and remediate site accordingly.

The structure is approaching 100 years since construction. It is well recognised that buildings of this type, built in a marine environment, considered an aggressive environment, subject to tides, storms and weathering, have a prescribed life span of 25, 50 or 100 years⁴. The iPRA report clearly states that all maritime structures deteriorate over time and further states that structures such as the Empire Bay Boat Shed have a prescribed life of 25 years.

The Northrop, 2022 report echoed the findings of the iPRA 2020 report providing additional detail, highlighting severe structural degradation of the sub-structure. This included the use of car jacks as packing to support the flooring atop a pier, displaced and deteriorated timber pile packers, failed bearers, failed floor joists and the use of ratchet straps to support failed bearers, along with termite damage.

Northrop, 2022 concluded that the boat shed subfloor structure was in a dilapidated and structurally unsound state, at risk of collapse due to adverse weather events or vertical loading of the floor. It was recommended that access to the boat shed and surrounds was strictly prohibited for safety reasons.

In addition to issues of structural decay, environmental contamination has been assessed by Douglas Partners⁵. Intrusive investigations comprised a combined judgemental and systematic sampling strategy of soil, sediment and groundwater conditions, with assessment of soils at 14 locations, sediments at seven locations and groundwater at three locations.

In summary, Douglas Partners considered that the site could be made suitable for a range of uses including a public open space use subject to implementation of substantive remediation to contaminated fill and soils and further consideration of quantitative human health and/or ecological risk assessment. The removal of underground petroleum storage

⁴ iPRA, 2020.

⁵

systems (UPSS) infrastructure and soil and groundwater remediation was considered critical.

Further investigation of sediments was also recommended to characterise and delineate contaminated sediment. That investigation is proposed as the second stage of works when the sediment beneath the boat shed is accessible. For clarity, investigation and remediation of sediments beneath the boat shed does not form part of the proposed demolition, the subject of the current application.

It is an accepted truth that not all heritage or significant buildings and structures can be retained. Conservation and preservation are sometimes beyond the realms of practical reality. Despite the presence of the Empire Bay Boat Shed at this location for nearly a century, the structure is now reasonably considered beyond retain and repair measures, and approximately 75 years past its prescribed life span⁶.

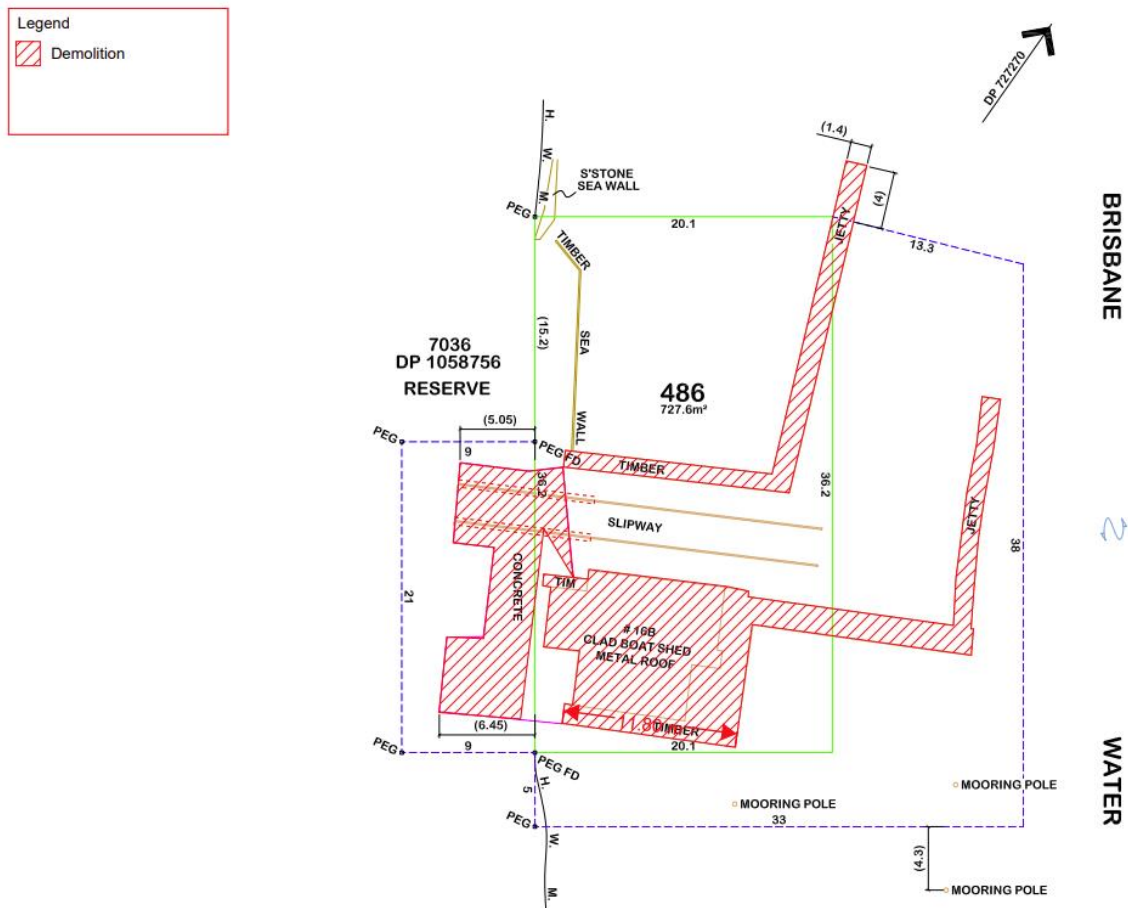


Figure 1.35 – Demolition Plan
 showing removal of all structural elements above the water line.

⁶ Ibid

Source: Catalyst Project Consulting EBM-01 8/6/23

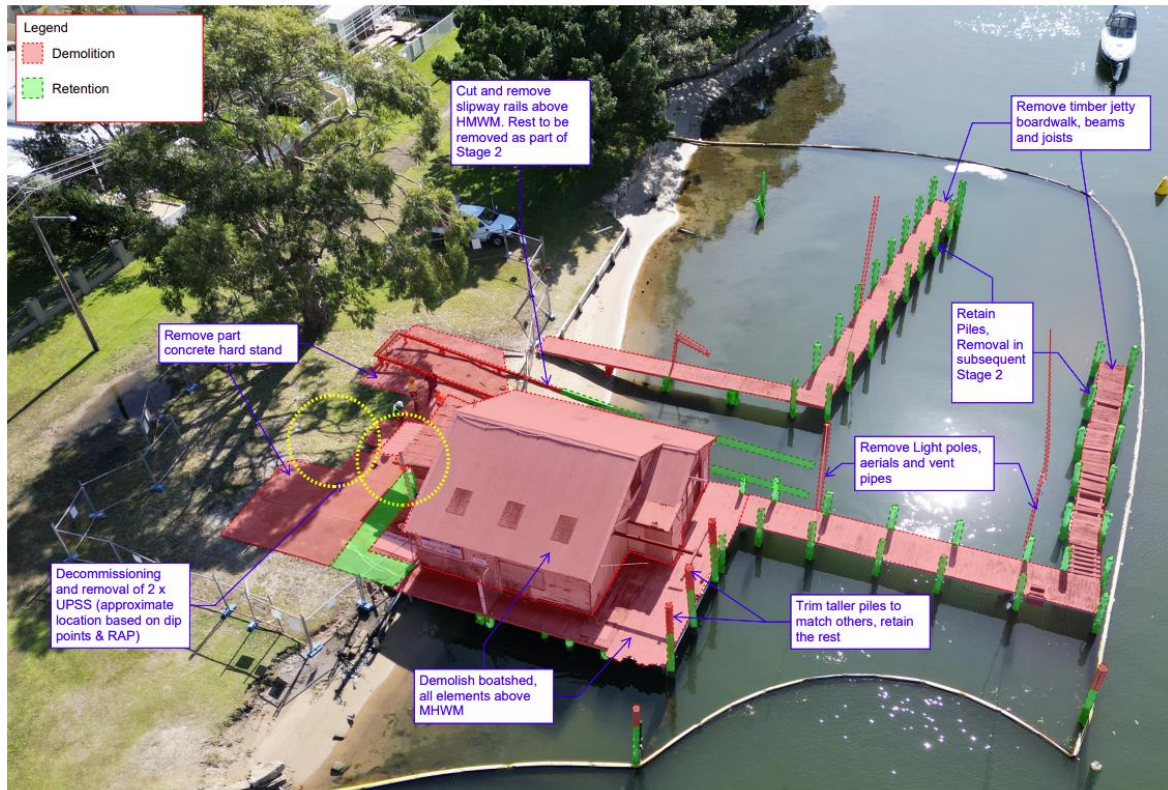


Figure 1.36 – Demolition Plan on aerial image.
 Red shows extent of demolition, green the retained elements.
 Source: Catalyst Project Consulting EBM-01 8/6/23

2. History of the Empire Bay Boat Shed

2.1 Historical Context

There appears that there is no written record of the history of the Empire Bay Boat Shed. Mention of the boat shed appears in secondary historical resources and in a scant few historical images. For this reason, the history of the Empire Bay Boat Shed has been largely speculative, particularly in recent years, with inference to association with the historical era of 19th century shipbuilding on Brisbane Water.

One of the primary objectives of this study and assessment has been to clarify and substantiate an accurate historical record of the establishment and use of the boat shed. This then allows an accurate review of heritage significance, and drives the formulation of appropriate heritage management.

The history of the Empire Bay Boat Shed is embedded within the history of the discovery, settlement, and development of the land surrounding Brisbane Water, and the establishment of the seat of administration, the township of Gosford at the northern extreme of Brisbane Water. The settlement of the area now known as Empire Bay occurred as part of a secondary wave of settlement around the foreshores of Brisbane Water during the late 19th and early 20th centuries.

In the early days of land alienation and settlement in the 19th century, there was a heavy reliance on water transport which continued into the early 20th century. This was an era prior to the motor vehicle and when overland transport was difficult on poorly formed roadways that were little more than bush tracks.

2.1.1 Discovery, Exploration and Settlement

The history of settlement and development at Empire Bay is part of the Brisbane Water story, which begins within a few short weeks of the arrival of the First Fleet in Sydney Cove in 1788. It became apparent very quickly to Governor Phillip that the landing place in Sydney was not suited to agriculture, and that the provision of future food supplies would require the location of suitable land to avoid starvation. This compelled Phillip to act quickly and in the hope of finding suitable arable land, he set out with small party to explore the “broken land” (Broken Bay) to the north of Sydney Cove, the landform mentioned by Captain Cook when he voyaged up the east coast in 1770.

Phillip’s party entered the body of water later named Brisbane Water. He was disappointed to find that the land was higher and rockier than that of Sydney Cove, and covered with trees on mountains that appeared inaccessible. Accessible land was low and swampy, not suitable for agriculture. The exploration was abandoned in favour of searching elsewhere, although the presence of timber suitable for ship building was noted. In 1789, the fertile river flats around Windsor had been discovered so attention was diverted away from the broken lands for many years.

It was 1823 when settler James Webb (see **Figure 2.1**) was given permission to occupy land along the shore of Brisbane Water near the narrow passage named “The Rip”. Webb could lay claim to being both the first settler and the first shipbuilder on Brisbane Water⁷. While details of vessels built by Webb have been lost, he was a man of experience in the shipbuilding industry, in his own words, a ‘boat wright’⁸

2.1.2 The Shipbuilding Industry

An overview of 19th and 20th century ship building enterprises on Brisbane Water is warranted here to provide context in order to substantiate the inclusion or exclusion of the Empire Bay boat shed within this realm. The most substantial body of work on this subject was undertaken by highly regarded local historian, Gwen Dundon, who, in 2023, was in her nineties, and still researching and writing.

Gwen was consulted during this study and kindly provided her time in discussion along with access to her personal historical resources for use during this assessment. She also authored a most comprehensive history of ship building of Brisbane Water, *The Shipbuilders of Brisbane Water NSW*, published in 1997, and already referenced in preceding sections.

The industry of building timber ships at Brisbane Water started in a minor way, flourished and then faded as times changed and metal ship became the preferred choice. It is estimated that at least 500 vessels were launched in Brisbane Water between 1829 and 1953.

It is indisputable that the shipbuilding history of Brisbane Water from 1848 until 1913 was dominated by the enterprises of the four Davis brothers. The combined output of the individual enterprises of Benjamin, Thomas, Rock and Edward Davis accounts for the greatest proportion of the total number of ships built in the district. Their shipyards were located around the Brisbane Water foreshores (refer **Figure 2.1**). Many of these former

⁷ Gwen Dundon, 1997. *The Shipbuilders of Brisbane Water*, pg 23.

⁸ *Ibid.*

shipbuilding sites and their shipbuilders are commemorated in the Shipbuilders Heritage Walk established by Rotary Kincumber⁹.

Of relevance to this study is Arthur Davis, son of Benjamin Davis, after whom Bensville was named. When Benjamin died in 1883, his eldest son, Arthur took over the Cockle Creek shipyard at present day Bensville. During a down turn in shipbuilding in the latter years of the 19th century, likely the result of the depression of the 1890s and the 1893 banking crisis which saw the collapse of a number commercial banks, Arthur turned his hand to other trades including bridge and wharf building. Of note, Arthur completed the first road bridge across Narara Creek at West Gosford, replacing Fagan's Punt¹⁰.

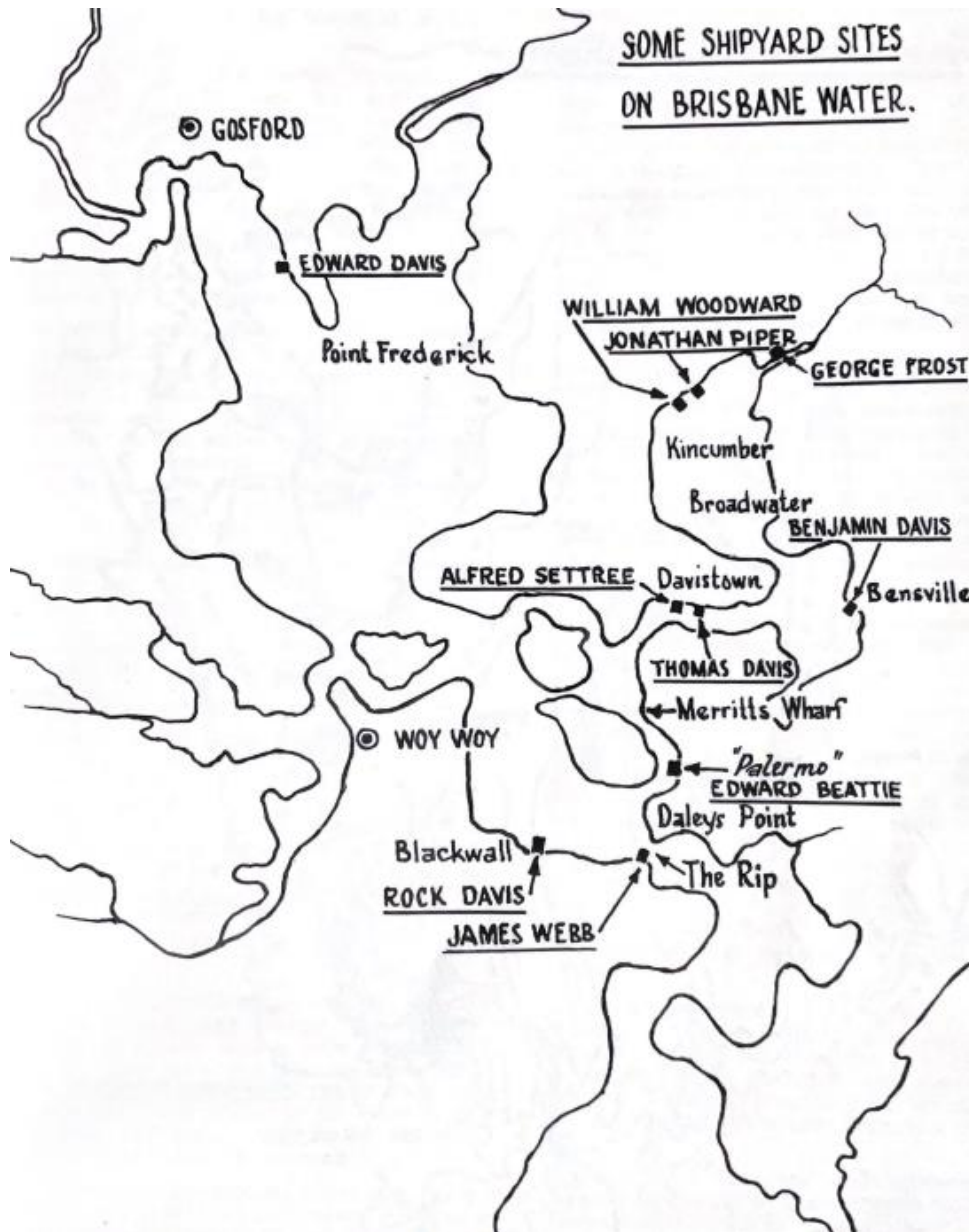


Figure 2.1 – Early 19th century shipyards of Brisbane Water.

Source: Strom, 1982. Map 7.

⁹ <https://www.shipbuildersheritagewalk.com.au/>

¹⁰ Gwen Dundon, 1997. *The Shipbuilders of Brisbane Water*, pg 104.

2.1.3 Empire Bay

The land that now forms Empire Bay was initially granted to Joseph Andrews on 12 July 1839, and comprised 152 acres (identified as Portion 123 County Northumberland, Parish Kincumber) and appears to have included a reserve around the foreshore land along Cockle Creek extending to Cockle Bay as seen on the Parish Map of 1929 (**Figure 2.2**).



Figure 2.2 – Parish Map 1929 – Edition 12

Portion 123 County Northumberland Parish Kincumber. You might note the reserves extending around both the Empire Bay and Davistown foreshore land.

The census of 1828 records a Joseph Andrews, aged 22, arrived free to the colony in 1828 aboard the *Calista* and at that time was residing in Sydney¹¹. Whether or not Portion 123 was granted to this Joseph Andrews, who would have been aged 33 at the time, is not known as no further information on Andrews has been found. However, land title records show that the land changed hands in under a year, in April 1840 to James and Mary Noble, and again in 1844 to Mary Little Aitkenhead. It remained with Mary Aitkenhead until 1885 when transferred to Jane Anderson.

In 1896, following a bankruptcy search, under Application No 9418, Alston Gregg and Alexander Walter Scott Gregg were issued with the certificate of title over the land as shown by Volume 1181 Folio 42¹² (**Figure 2.3**).

As can be seen in **Figure 2.3**, the 100 foot reserve, from the high-water mark, appears to have been in place in prior to 1896 when Alexander Walter Scott Gregg, Auctioneer of Homebush, became the proprietor of the land described as Portion 123¹³

¹¹ Sainty M., and Johnson K., (Eds) Census of New South Wales, November 1828. Library of Australian History, 1980.

¹² HLRV - Primary Application 9418

¹³ HLRV Volume 1181 Folio 42

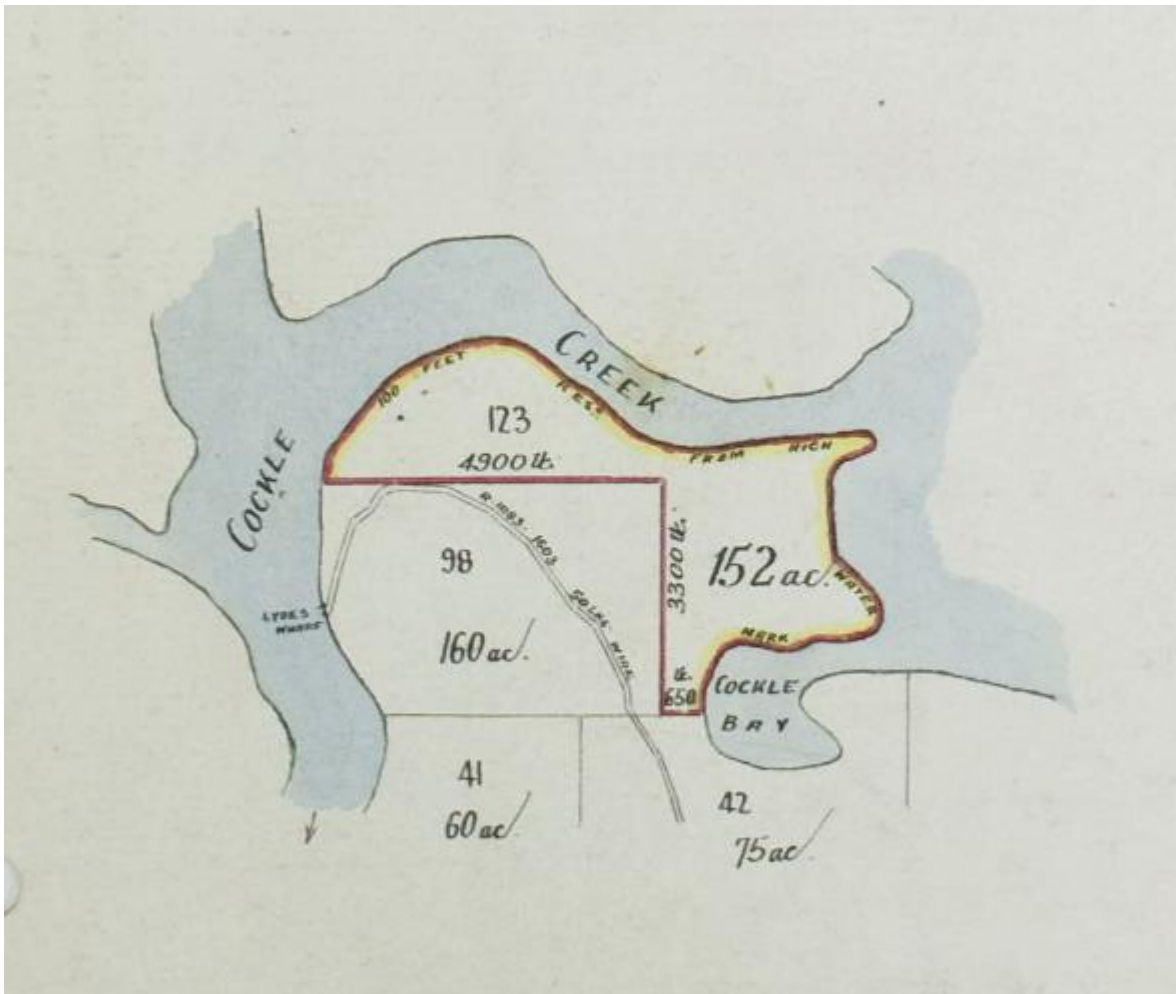


Figure 2.3 – Portion 123 County Northumberland Parish Kincumber 1896.
Note, this plans shows the existence of Lyde’s Wharf and only one mapped roadway.
Note also, the 100 foot reserve marked around the foreshore.
 Source HLRV Vol 1181 Folio 42

2.1.4 Crown Land Reserves

Not all land was suitable for settlement and not all land had been taken up during era of Government grants. In addition, large quantities of land were reserved for public purposes, for example; for access to water, camping, preservation, Aboriginal occupation, river crossings. It became apparent that access to water was hampered without foreshore reserves around Sydney Harbour¹⁴.

By 1828, by decree, all future Crown land would have a reserve of 100 feet above the high water mark, on the Sea Coast, Creeks, Harbours and Inlets.¹⁵ Thus it can be established that the 100 foot Crown reserve around the Empire Bay and Davistown foreshores were created at the time of first alienation and specifically the study site, the grant of Portion 123 to Joseph Andrews in 1839 (refer **Figure 2.2**).

Until 1867, the Surveyor-General’s department oversaw the management of reserves. In 1867, the Miscellaneous Branch was established within the Lands Department to manage reserves and parks, and establish villages among other miscellaneous duties. Files were

¹⁴ T Kass, 2019. A Guide to Crown Lands.

¹⁵ Sydney Gazette, 22 August 1828, p1 in Kass, 2019.

created on the reservation of land based on the advice of surveyors or local residents. It was not unusual for residents or adjacent landowners to contact the Branch seeking the reservation of land or the withdrawal of land from reservation¹⁶.

The Miscellaneous Branch also dealt with matters of illegal occupation of reserves and when land within formal reserves was leased, the Occupation, Miscellaneous Lease or Lease Branch would manage the matter as Leases or Permissive Occupancies.¹⁷

This is the case when in 1905, the Branch approved and then notified by publication a change in the Crown land reserve at Empire Bay. On the 14 October 1905 a Notification was published in the Government Gazette of New South Wales describing land to be reserved *from sale and lease generally for public recreation and wharfage*.¹⁸

This notification describes the creation of the 100-foot reservation along the Sorrento Street foreshore that exists today (**Figure 2.4**). This reservation covered an area of 4 and one-quarter acres. This change in the reservation corresponds to the purchase of the land and by Rickard and the subsequent subdivisions and land sales he brokered¹⁹ (refer **Figure 2.5 to Figure 2.8**).



Figure 2.4 – Empire Bay DP 4707 showing Rickards’s early subdivision allotments and roadways within former Portion 123, and showing the extent of the 100ft foreshore reserve.

Source: NSW Land Registry Services – Historical Land Records Viewer (HLRV) Certificate of Title Volume 1720 Folio 159

¹⁶ T Kass, 2019. Pg 197.

¹⁷ Ibid.

¹⁸ Government Gazette of the State of New South Wales. Saturday 14 October, 1905, Page 6926 – research by Steve Ford.

¹⁹ Ibid.

The Gosford Times reported that “buildings galore” were being erected at Sorrento in 1906. Sorrento was one of nearly 30 holiday resorts around Brisbane Water which were created expressly for holiday makers between 1896 and 1916.²⁰ A sketch of Empire Bay about 1912 (Figure 2.5) provides an indication of the number of “week-end cottages” present along the foreshore at that time.

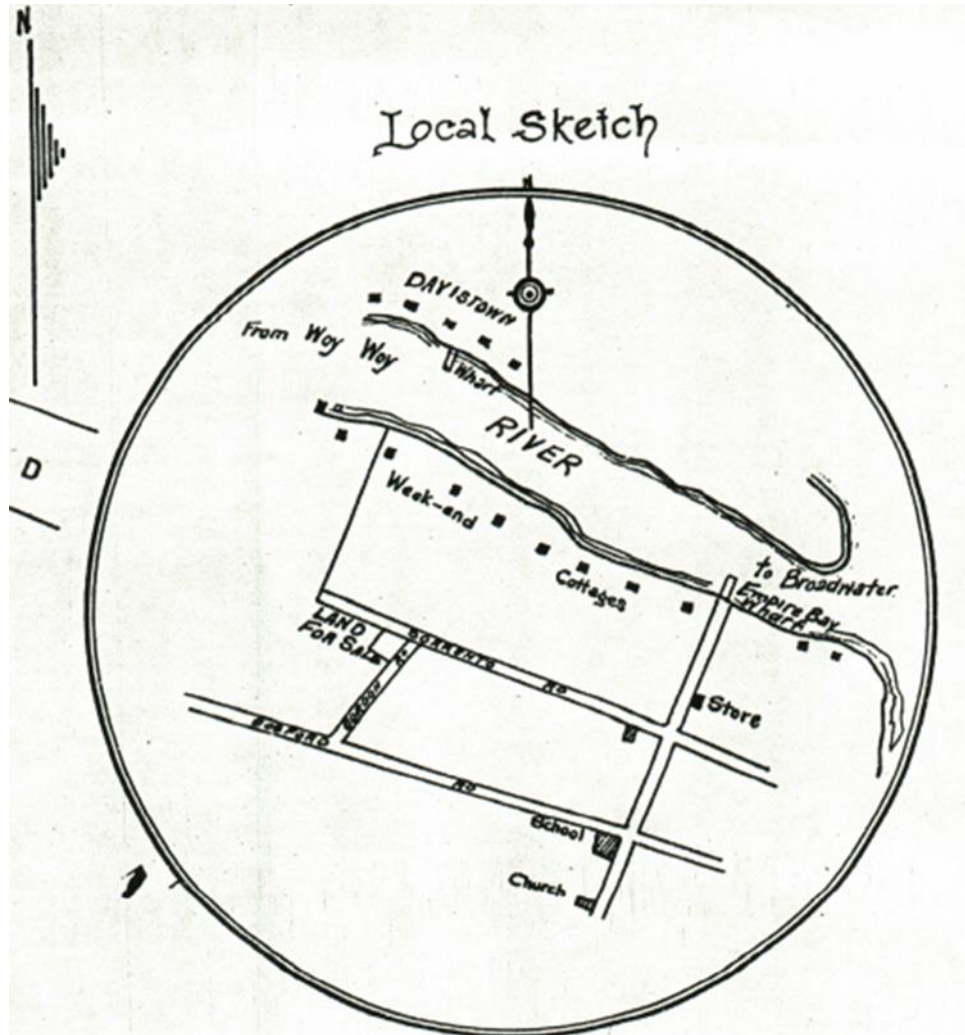


Figure 2.5 – Location plan appearing on Rickard’s 1905 subdivision plans showing the week end cottage that were present along the foreshore reserve and perhaps an earlier public wharf.

Source: Central Coast Library Local History Collection

During this period a large area of the foreshore land around Brisbane Water extending from Saratoga to Point Clare was subdivided and offered for private sale. This was an era of boarding houses and furnished cottages offering weekender style and holiday accommodation. Those of an enterprising nature established corner stores and there was a demand for the government to establish public wharves for the ferry services, the primary mode of transportation at that time.

Sorrento was the early name given to the waterfront subdivision at Empire Bay²¹. Walter Huggart purchased a parcel of five and one quarter acres and established Sorrento House²².

²⁰ Strom B., Gosford/Wyong History and Heritage, 1982.

²¹ Ibid.

²² Ibid.

Sorrento Estate was the name Arthur Rickard & Co chose when he subdivided the land for sale in 1905/06. Arthur Rickard was a salesman and apparently he wanted an exotic name, to be compared with an Italian resort destination, for his 152 acre subdivision.

According to a report written by the Acting Postal Inspector, dated June 1, 1908, a request was received from the Sorrento Progress Association asking that a Post Office be established. They claimed, "The population had increased greatly since the sale of the estate 2 years ago and a Post Office would benefit about 100 permanent residents...There are 28 families within 1 mile of the jetty...the adult population is 75 and includes store keepers, boarding housekeepers, boat proprietors, fern gathers (20 persons employed) and boat builders...it is estimated that the 28 families post 85 letters weekly".

The report noted that it would be necessary to change the name of the locality because a Post Office named "Sorrento" already existed in Victoria. The report goes on to say that the residents had unanimously chosen "Empire Bay". It is reported that the Postal Inspector was at Sorrento on Empire Day (24th May) and that is why the residents chose the name Empire Bay.

On the 10th June 1908, the Postmaster General approved the establishment of the Empire Bay Postal Receiving Office. The owner of 'Sorrento House' (William Huggart), of 9 Sorrento Road, was appointed Postmaster to receive £5 per annum, but his salary increased to £10 the following year when the status of the office was upgraded to Post Office. In 1910, C C Swinburne became Postmaster and moved the office to his general store near the corner of Sorrento & Kendall Roads.

At the time of Rickards subdivision and land sale in 1905/06, plans do not show a ferry wharf. However, ferry services were operating; the Pioneer Ferry Service, operated by the Sisters of Saint Joseph, commenced operations for Kincumber Orphanage patrons and visitors. This was the beginning of regular ferry services on Brisbane Water. Ferries such as the San Jose, Southern Cross, and Stella Maris were well known and loved by holidaymakers and locals.

The Empire Bay community had been agitating for a public wharf from about 1905. The then Erina Shire Council had constructed a wharf at Davistown for a reported 45-50 pounds. However, Council were not forthcoming with funds or a wharf for Empire Bay residents at that time.

By 1911 Empire Bay was well serviced by the ferries. Three different bakers ran their launches three times a week, a butcher called 'thrice' in the week, and a greengrocer did a round trip daily.²³ A public wharf appears on subdivision plans of 1912, so it appears that Council did eventually acquiesce to the community.

Directly across Cockle Channel from Empire Bay, Davistown had its beginnings in the serious business of shipbuilding. By the 1920s Davistown had become a very popular holiday resort. Davistown had much to offer, with regular ferry transport to and from Woy Woy railway station, several well-appointed boarding houses, furnished cottages, boating, fishing and bathing facilities. It could be reasoned that the late 19th and early 20th century development history of Empire Bay echoed that of Davistown.

On the back of the popularity of Davistown, Empire Bay had become popular by the late 1920s for the same attractions. In the 1928 Tourist Guide, Empire Bay was described as

²³ Gosford Times and Wyong District Advocate, Friday 25 August 1911 pg 7.475

three miles from Woy Woy, on Cockle Creek, an arm of the famous Brisbane Water. Two ferries ply between this popular holiday resort and Woy Woy, the fares being 1/6 return and 9d single. Empire Bay is within easy walking distance of Maitland Bay, where rock fishing is very popular. There were two stores, post office, public school, tennis club, and public baths. Swimming and boating facilities are described as excellent.

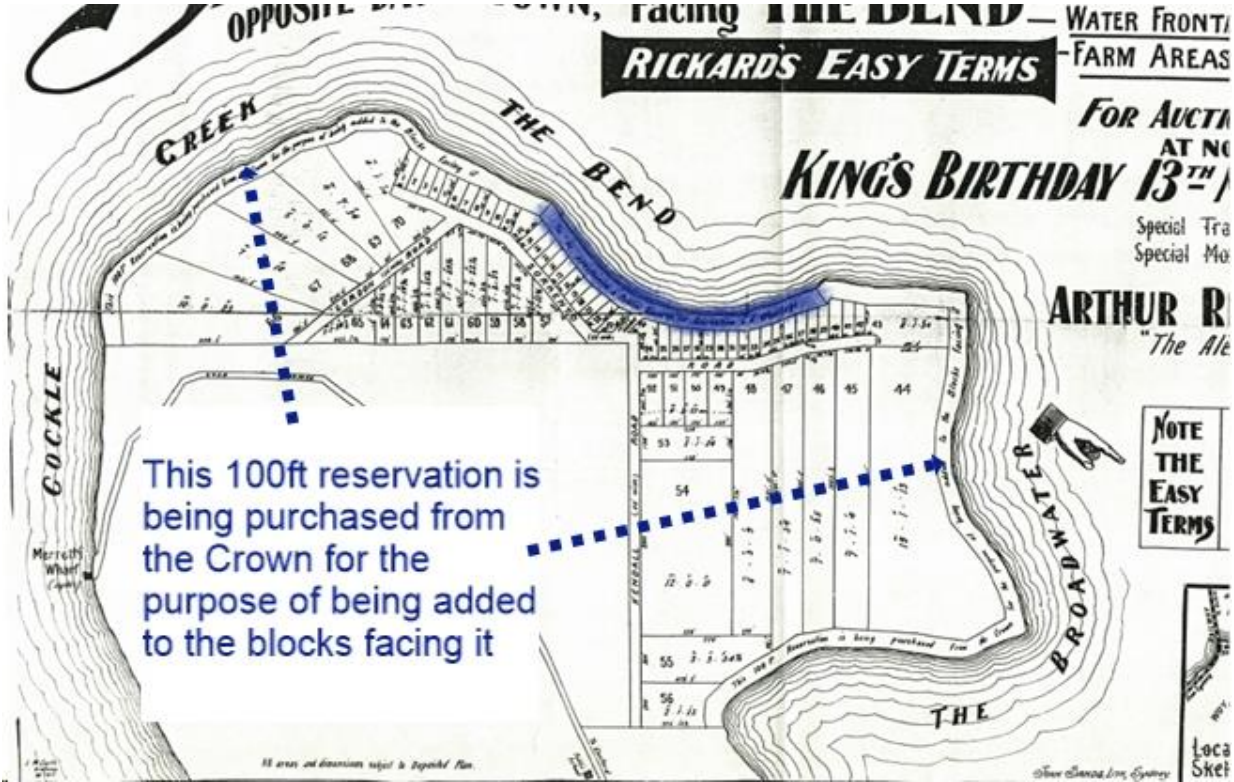


Figure 2.6 - Rickard's Sorrento Estate subdivision with allotments concentrated along the waterfront. The 100 foot reserve along the foreshore was purchased from the crown by Rickard with the exception of the area (shown in blue) which was to be proclaimed a public reserve for recreation and wharfage.

Source: Central Coast Library Local History Collection

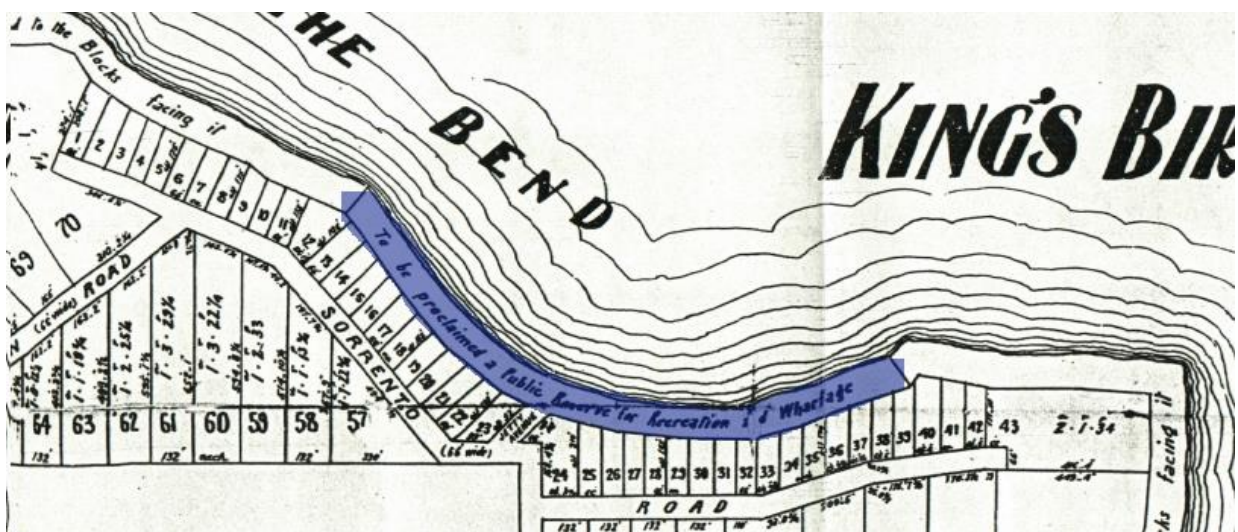


Figure 2.7 - Detail of Crown Reserve that remains along the Empire Bay foreshore today.

Source: Central Coast Library Local History Collection

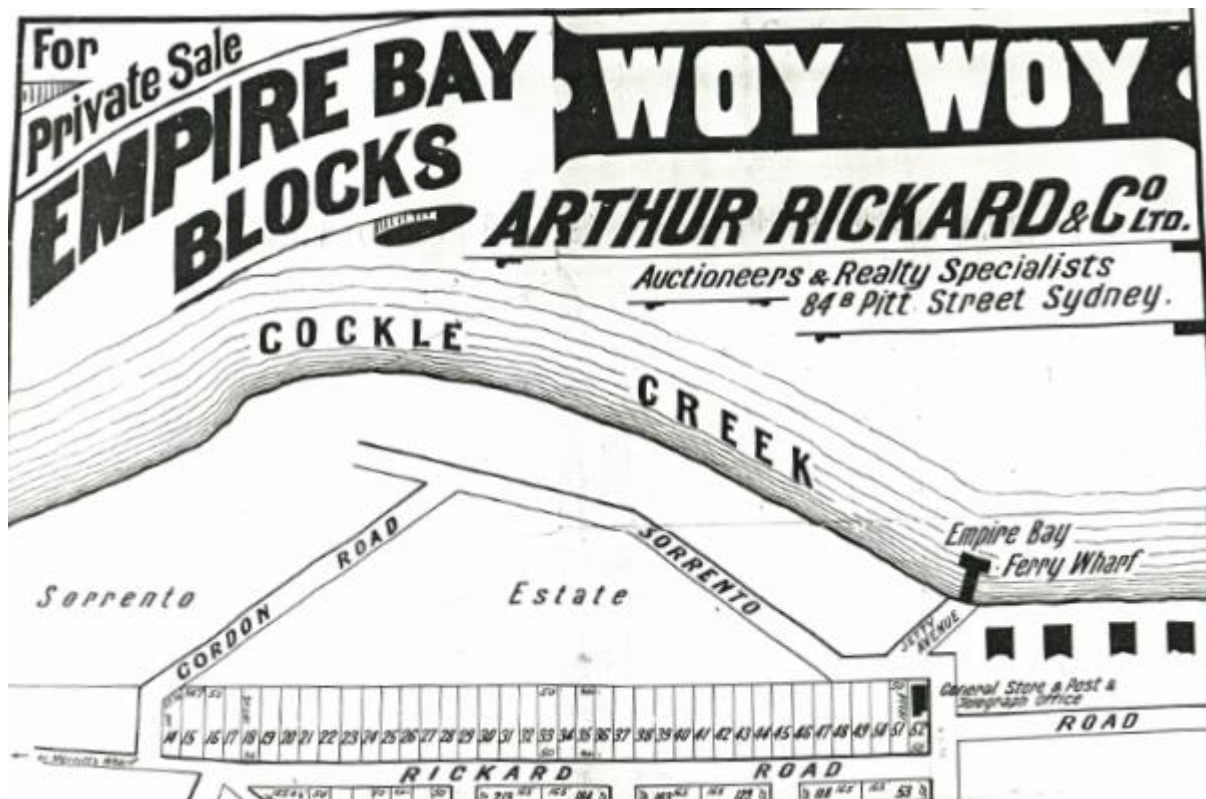


Figure 2.8 – Rickard’s Sorrento Estate subdivision plan, second land release. The area had been renamed Empire Bay and the Public Wharf had finally been constructed thus dating the plan to post 1911.

Before the opening of the Rip Bridge in 1974, the many small communities around Brisbane Water relied heavily on small ferries for transport to Woy Woy and Gosford. Ferries were used for many purposes before reliable road transport networks were established. Crews and passengers relayed social news around Brisbane Water. Bodies of deceased persons were taken to Gosford for burial. Daily newspapers, mail deliveries and produce were regular cargoes. The ferries of the district would take shoppers to Market day at the Gosford Wharf every Thursday²⁴. Locally, ferries would stop at locations such as Veteran Hall, Lintern Street, Yow Yow, Myler’s Davidson’s Moore’s, Pine Tree, Empire Bay, Sunnyside, Eulalie, Kincumber South and Kincumber Creek²⁵.

2.1.5 The Empire Bay Boat Shed and Davis & Settree Store 1924-1968

In September 1924, ship builder Arthur Davis, son of Benjamin Davis, applied to the Inspector of Foreshore Lands for permissive occupancy over a parcel of foreshore land on Cockle Creek, opposite his allotments 18 and 19 of the Sorrento Estate, the given purpose was for the “erection of a boat shed on piers” (**Figure 2.9**) In October 1924, Erina Shire Council raised no objections ‘as the applicant owned the adjoining land’²⁶. Permissive occupancy was granted on 11 December 1924²⁷.

²⁴ Strom B., Gosford/Wyong History and Heritage, 1982.

²⁵ Ibid.

²⁶ Gosford Times and Wyong District Advocate, Thursday 16 October 1924, page 3

²⁷ Stephen Ford – research notes supplied to author.

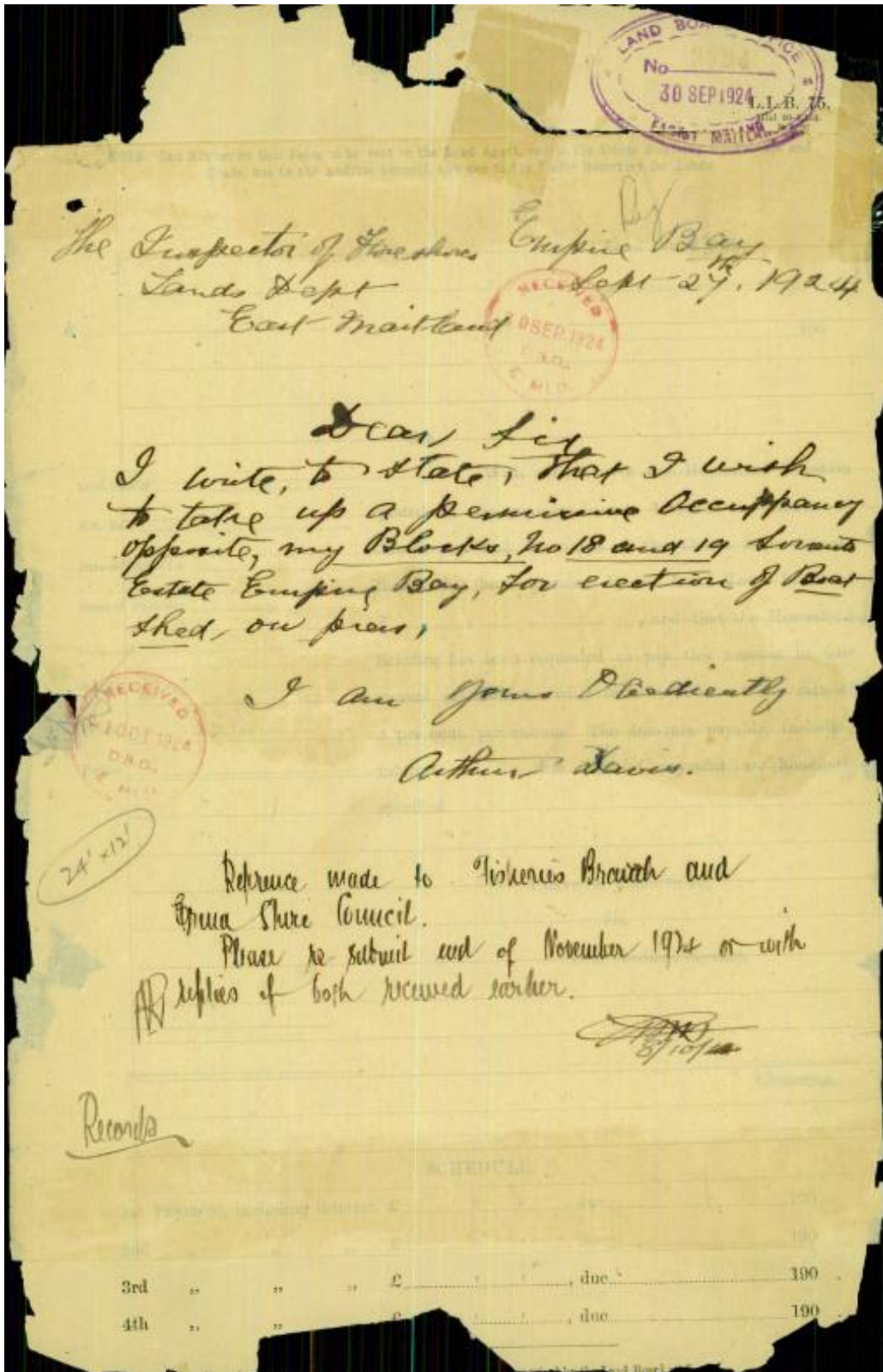


Figure 2.9 – Original letter of application for Permissive Occupancy by Arthur Davis 1924.

Source: Crown Land Archives

Arthur Davis was well placed to construct a boat shed on piers as he had designed and built many ships, punts and bridges throughout his life. The last vessel he designed and built was the MV Erina II, constructed on the bank of Cockle Creek in Empire Bay from locally felled timber²⁸. The Empire Bay Boat Shed is not directly associated with construction of the MV Erina II as historical images provide evidence that the vessel was constructed on the foreshore land now identified as 34²⁹ or 24 Sorrento Road, a short distance to the north of the study site marked by a large fig tree.

The Gosford Times and Wyong District Advocate reported in August 1927 that the new Empire Bay waterfront store was nearing completion, and anticipated that it would be an asset to the waterfront³⁰. Thus, it can be established that the boat shed was constructed prior to the store, indicating that the Davis family was certainly enterprising, taking advantage of the growth of Empire Bay and commercial opportunities in the early 20th century.

However, there is no doubt that Arthur Davis was a significant historical figure in the boat building industry of New South Wales in the early 20th century. He built a steam punt and a coal punt on the Richmond River; a hand ferry on the Clarence River, a punt at Kempsey along with bridge building at Tarago. He was then engaged by the Government as inspector of timber and overseer of pile-driving and bridge work on the Manning River. Following that he assisted in building the Parkes-Peak Hill railway³¹.

Arthur Davis died in 1937 at age 76. At the time, his residence was alongside the Davis and Settree store, run by his son Harry and daughter Olive (Mrs William Settree). In 1930, a few years prior to Arthur's death, son Harry Davis took over the special lease³² and the operation of the boat shed, and with Olive, he continued to operate the businesses until his own death in 1968³³.

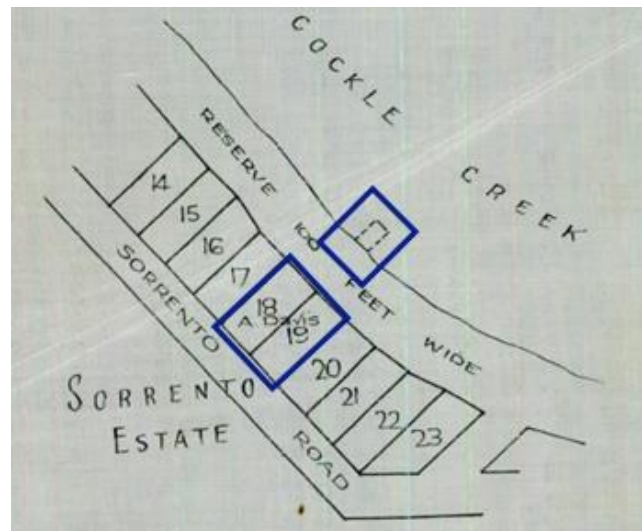


Figure 2.10 – 1924 plan of proposed site of permissive occupancy along the Cockle Creek foreshore opposite Arthur Davis's Lots 18 and 19 of the Sorrento Estate. Arthur Davis established the Davis and Settree Store in 1927 on his allotments with residences on each side.
Source: Crown Land Archive

²⁸ Glimpses of Country Life, Arthur Davis, Boatbuilder. Sydney Mail, 8 September 1937, pg 2.

²⁹ Gwen Dundon quotes the site of construction at 34 Sorrento Road. This may be a typographical error as the location appears to be closer to 24 Sorrento Road and per B Collis pers. comm.

³⁰ Gosford Times and Wyong District Advocate, Empire Bay, Thursday 4 August 1927, page 12.

³¹ Glimpses of Country Life, Arthur Davis, Boatbuilder. Sydney Mail, 8 September 1937, pg 2.

³² Permissive Occupancy Number 606 issued due to transfer, per

³³ Dundon, G. Shipbuilders, pg 113.



**Figure 2.11 – The Davis and Settree Store c1930s
located opposite the Empire Bay Boat Shed.**
Source: Central Coast Library Local History Collection.

While it can be substantiated that Arthur Davis received approval for permissive occupancy in December 1924, and then likely constructed the boat shed in 1925, there is no evidence to indicate that it was a commercial enterprise at that time. Some speculate that it might have provided a landing point for ferries delivering goods to the Davis and Settree Store. This might be a reasonable assumption given the 1920s were an era where great reliance was placed upon ferry transport to move people and goods around Brisbane Water, particularly from Woy Woy to Empire Bay, at a time when roadways were rudimentary and unreliable.

However, the Davis and Setttee General store was opened in 1927³⁴ so whether the store and boat shed are associated through an enterprising plan, or whether the opportunity to use the boat shed for the delivery of goods for the store followed on after construction of the boat shed, is not conclusively known through the historical records.

The last vessel to be constructed by Arthur Davis (see **Figure 2.12**) was the *Erina II* at Empire Bay. His sons and son-in-law assisted with the construction. The section following further explores and clarifies the history of the *Erina II*.

³⁴ *Empire Bay*. Gosford Times and Wyong District Advocate, 4 August 1927, page 12

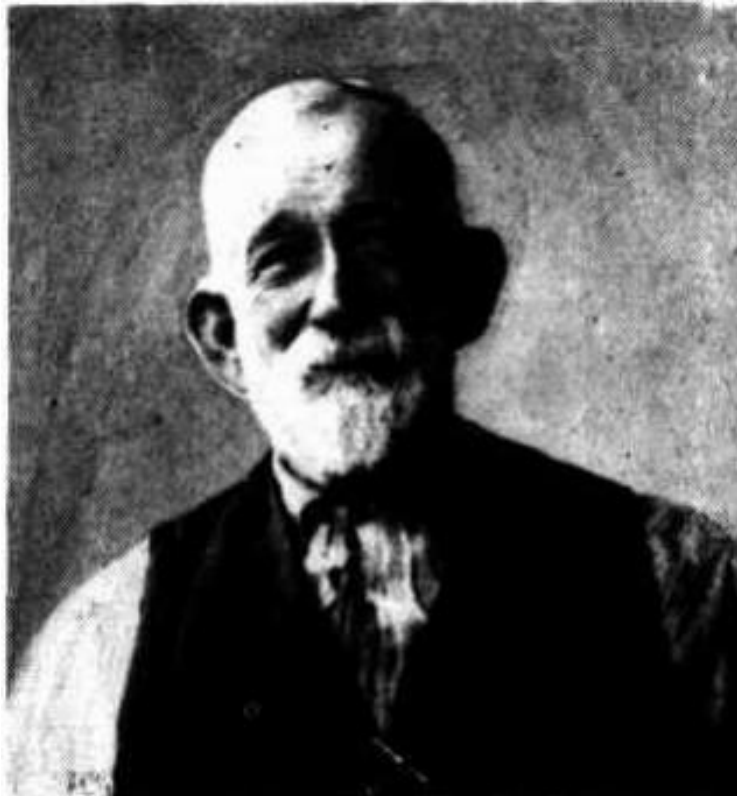


Figure 2.12 – Arthur Davis

Source: Sydney Mail, Wednesday 8 September 1937.



Figure 2.13 – The Empire Bay Boat Shed jetty c1930s/1940s with hire boats and boat shed just visible at right of view. The shelter shed located at the public wharf shown in blue circle.

Source: Empire Bay Progress Association <https://www.empirebayprogress.org.au/copy-of-photos-4>

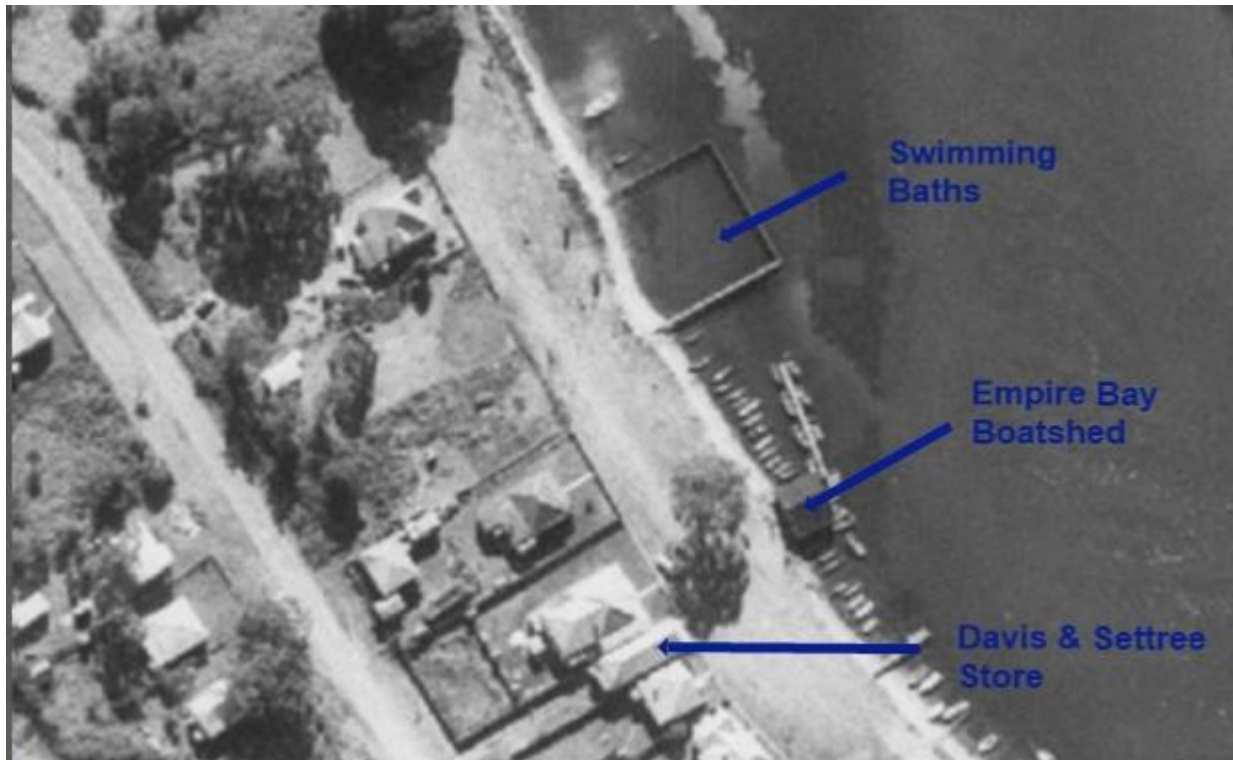


Figure 2.14 – 1961 aerial showing the boat shed with single jetty.
 Small craft and hire boats line the foreshore, and tied up along the boat shed jetty.
 Opposite the boat shed (marked by arrow) is the Davis and Settree Store.

Source: Robert Thompson

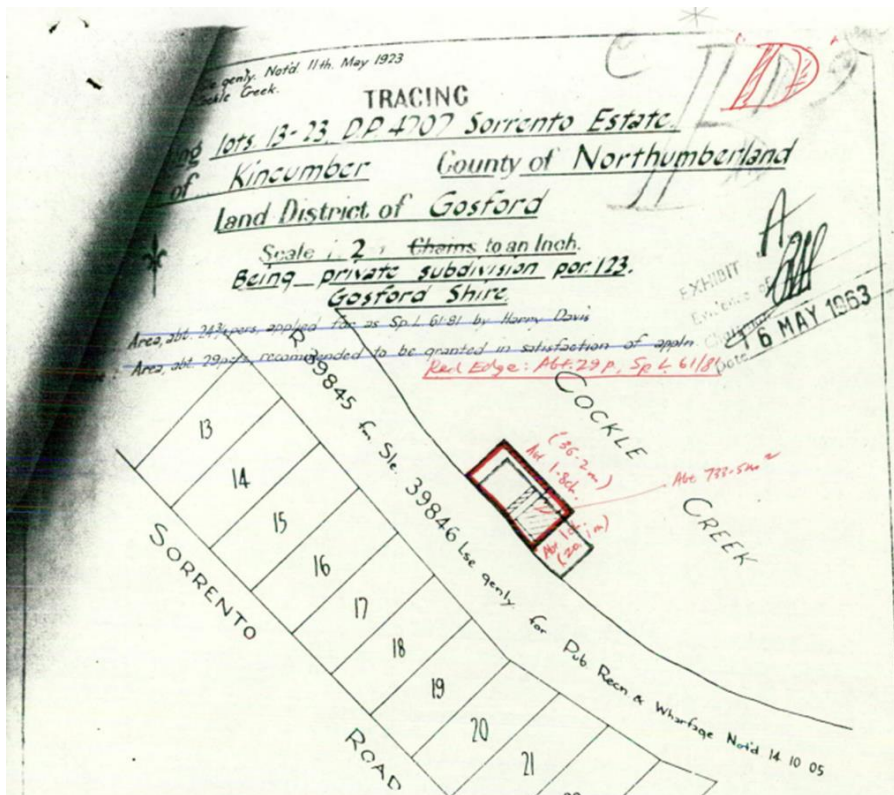


Figure 2.15 – Empire Bay Boat Shed plan dated 1963
 Showing two small landings on the eastern elevation and the early slipway.

Source: Crown Land Archives

2.1.6 MV Erina II³⁵

There was community speculation that the Empire Bay Boat Shed was associated with the construction of the Erina II. Historical research has fleshed out the history of the Erina II for this important clarification. Built by Mr Arthur Davis, of Empire Bay, and his three sons, the Erina II (80 tons) was constructed solely of timbers hewn from the bush near Empire Bay. The building of the boat took a year, and was done entirely by hand using axes, adzes and hammers on the foreshore at Empire Bay. There was no shipyard, and no shed - the Erina II was constructed on the waterfrontage at Empire Bay³⁶ (**Figure 2.15**)

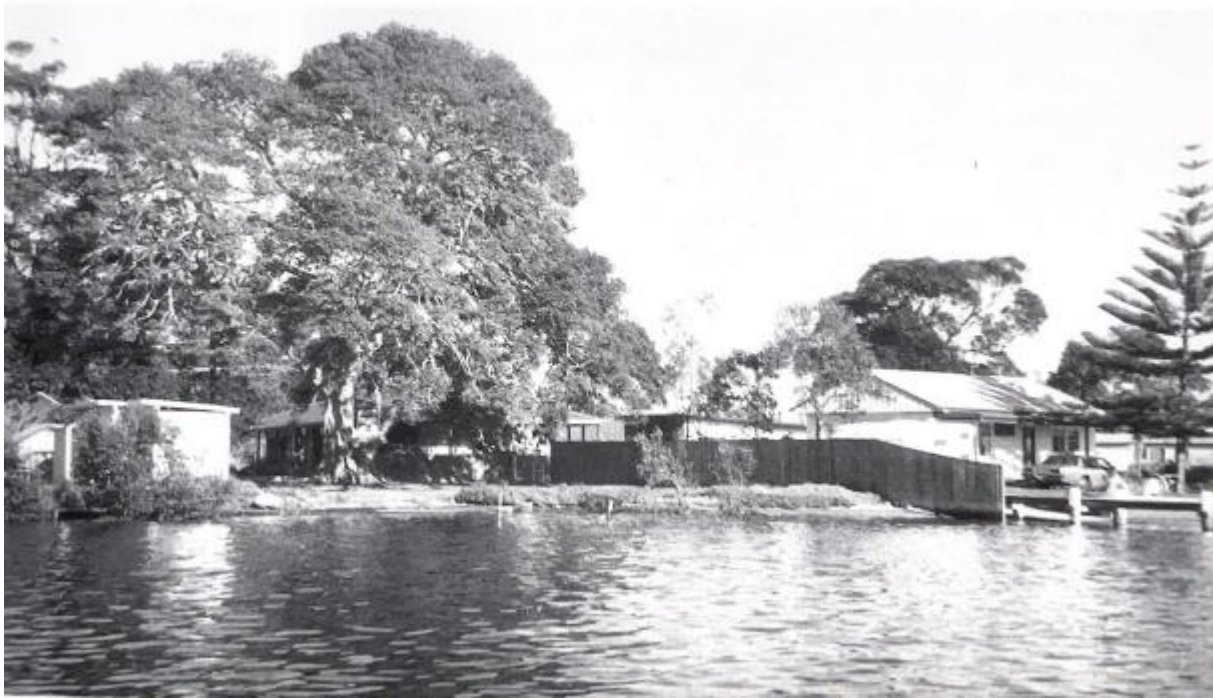


Figure 2.16 – The building site of the Erina II reportedly a short distance along the foreshore, to the right (north) of the large fig tree.

Source: Gwen Dundon, *The Shipbuilders of Brisbane Water NSW*.

According to Davis family descendent, Clarice Beattie, the tree selected for the keel was located on the Davis property at Bensville³⁷. It was felled and squared with broad axes and adzes, hitched to a draught horse named Bowler (assisted by pony Ginger Mick) and hauled around to Empire Bay. It was offloaded at William Settler's, now 34 Sorrento Road³⁸. The image shown in **Figure 2.16** below is the Erina II under construction where the foreshore of Davistown can be seen in the background, and for reference at left of view, middle distance, are twin pine trees on the Davistown foreshore. These pine trees still stand today!³⁹

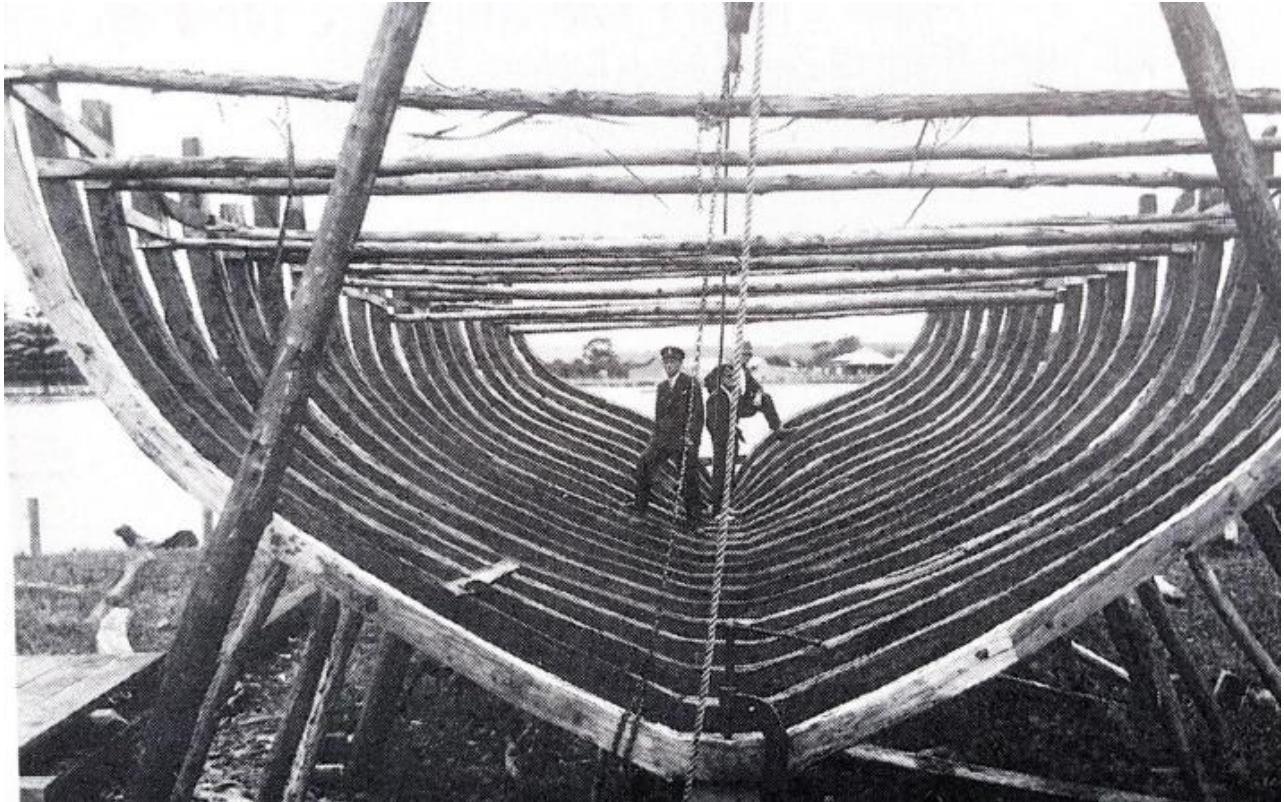
³⁵ Robert Thompson, Empire Bay Progress Association.

³⁶ Dundon G., 1997. *The Shipbuilders of Brisbane Water NSW*. Self pub. Pg 106.

³⁷ Formerly the property of shipbuilder Benjamin Davis. Dundon G., 1997. *The Shipbuilders of Brisbane Water NSW*.

³⁸ Ibid.

³⁹ Robert Thompson, pers. comm.



**Figure 2.17 – The skeletal form of the Erina II under construction.
Built in 1933/34 for Captain Thomas Childs, friend of Arthur Davis.**

Source: Gwen Dundon, *The Shipbuilders of Brisbane Water NSW*.

On Saturday 25 August, 1934, the Erina II, decked with bunting and a good crowd in attendance, was ready for her launch. Champagne was splashed across her bow and the Erina II was launched. However, with a fast ebbing tide the Erina II slid 12 feet then rested firmly in the mud. It was a few days later, with a rising tide and ropes attached to pines trees across the creek at Davistown, that the Erina II was finally pulled free and floated safely into Cockle Creek. The Erina II was taken to Sydney and fitted with diesel motors.

Ship building was an important industry in Brisbane Water, especially at Davistown, Kincumber, Daley's Point and Bensville. However, of the 500 ships built in Brisbane Water, only two were built at Empire Bay. The Betsey (1831)⁴⁰ and the Erina II (1934)⁴¹. Unfortunately, no information can be found the Betsey other than she was a schooner built by George Meadows with the help of assigned men (convicts).⁴²

Erina II was regarded highly in the coastal cargo and passenger trade between Narooma, Sydney and Gosford. In 1942 the ship was at war in PNG, covered in war paint, 50mm calibre machine guns mounted on the bow and stern, transporting commandoes, food and ammunition to the northern beaches of PNG. After the war, Erina II, with many bullet holes, returned to civilian service. Her final years were served transporting cargo and passengers between Brisbane and PNG. Sadly, in 1954 she ran aground near Madang (northern PNG), and within a few days broke up and disappeared.

⁴⁰ The exact location of construction of the Betsey in Empire Bay is not known.

⁴¹ Dundon G., 1997. *The Shipbuilders of Brisbane Water NSW*.

⁴² Ibid.



Figure 2.18 – The Erina II about to be launched into Cockle Creek draws a crowd of onlookers.

Source: Empire Bay Progress Association <https://www.empirebayprogress.org.au/copy-of-photos-4>

2.2 Empire Bay Boat Shed/Marina 1968-1993

After Harry Davis died, Crown tenure changed hands in quick succession. Substantial changes occurred to Arthur Davis's 'boat shed on piers', the most substantial during the 1970s when use of the commercial use of the boat shed expanded from small boat hire to fuel sales, and outlet for bait and tackle. In the 1970s and 1980s, modifications and additions were made to the jetties for moorings, and from the 1980s the boat shed was in use as a commercial marina including the introduction of a slipway for use in repairs and maintenance of medium size vessels.

Date	Event
1968	Death of Harry Davis. Estate transfers Crown tenure to William John Blackmore with an annual rent of \$156.
1968	Mr Blackmore took over operation of the boat shed hiring out boats, mainly to the local pensioner population. Motor boats \$4.50, row boats \$2.00.
1970	Blackmore transferred lease to Cecil Hall. Hall quickly transferred to Bowden.
1971	Ronald Frederick Bowden installed Petrol Pump – single meter pump + 1000 gallon underground tank. Bowser installed by Shell Company of Australia. Bowden received letter requiring him to remove rubbish, motor parts and timber on the reserve adjacent and carry out repairs to the building ie replacement of weather boards, painting of roof and repairs to windows and gutters.
1975	Bowden made application to sell bait and fishing tackle.
1976	Bowden transferred lease to Eriksson-Hjelm
1982	Eriksson-Hjelm transferred to Paul Brown
1983	Transferred from Brown to Velleman who maintained the special lease until 2020.
About 1984	Empire Bay Store closed.
1980s	New slipway installed and jetty modified. Addition to boat shed to house slipway motors.
1993	Short sheets corrugated iron roofing replaced with long sheets of corrugated iron prior to installation of new signage.

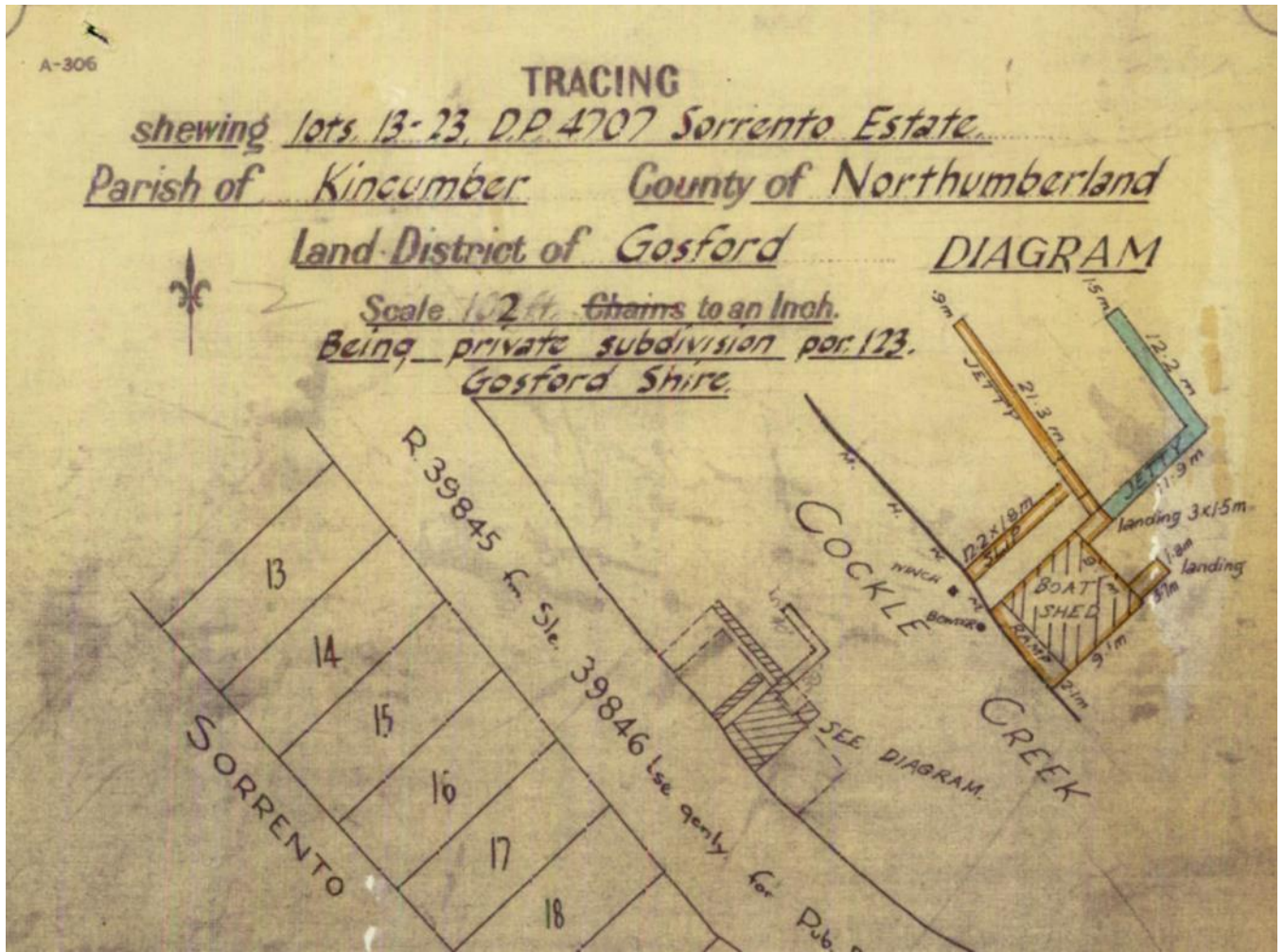


Figure 2.19 – Plan of the Empire Bay Boat Shed 1976 showing the original landings of the boat shed with jetties and slipway. Source: Crown Land Archives



Figure 2.20 – The Davis and Settree Store in the 1970s. Empire Bay Progress Association <https://www.empirebayprogress.org.au/copy-of-photos-4>



Figure 2.21 – The boat shed in 1978 showing the gantry structure had been installed.
Source: Gwen Dundon



Figure 2.22 – 1981 showing the boat shed and the slip way in use.
Source: Gwen Dundon – image by Jeff Pickering



Figure 2.23 – 1983 showing the boat shed painted white with yacht on slipway and petrol bowser on landing. The gantry can be seen behind bowser.
 Source: Gwen Dundon – image by Graeme Andrews

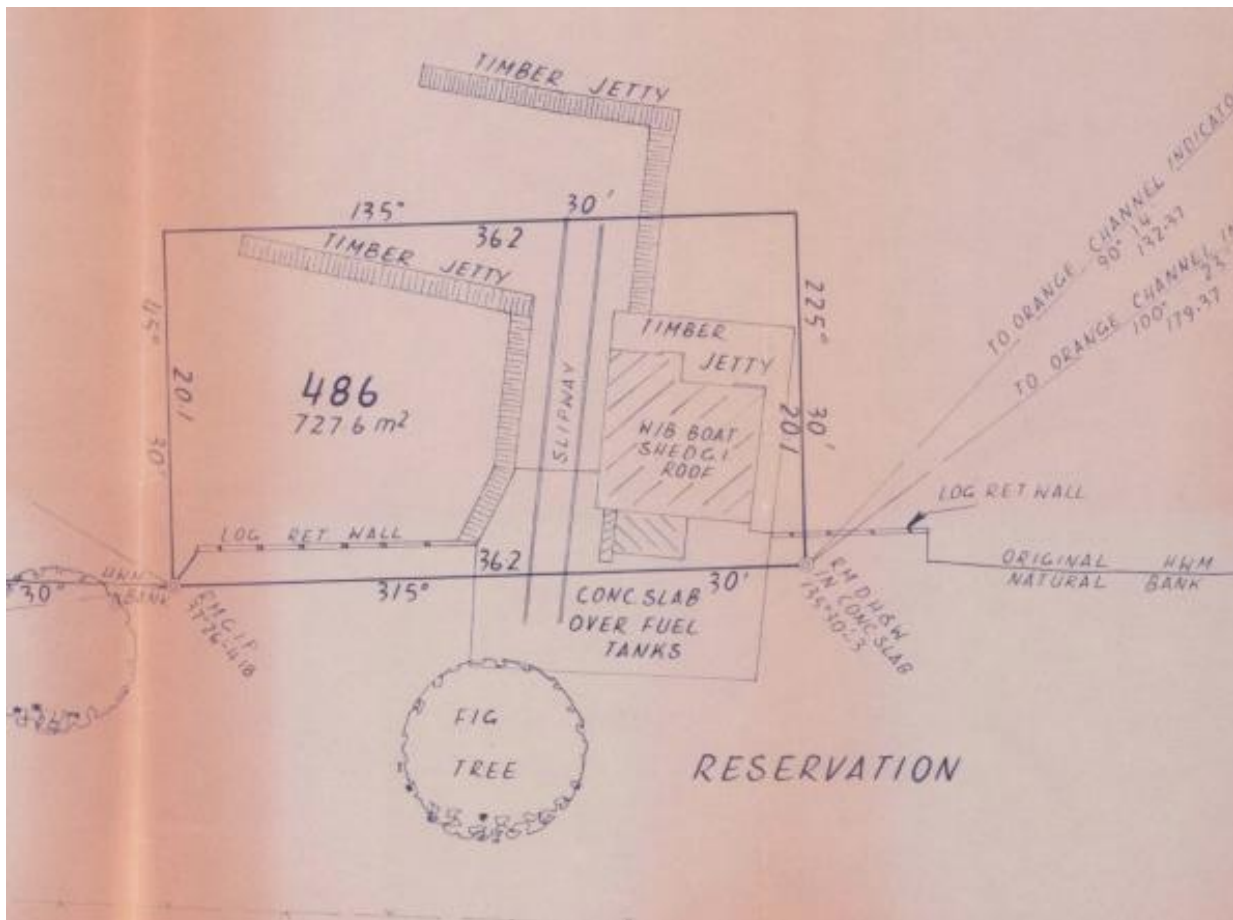


Figure 2.24 – Crown Land Archive Plan of Special Lease 61-81 & Surrounding Improvements 1988.
 Source: Crown Land Archive

SIGNS

A "MERCURY OUTBOARDS" 1.2M x 6M

B "OUTBOARDS BY YAMAHA" 1.8M x 9M

C "MERCURUISER STERN
DRIVES & INBOARDS"

ALL AS STANDARD LOGO:
AT BOTTOM OF LETTER OF
APPLICATION

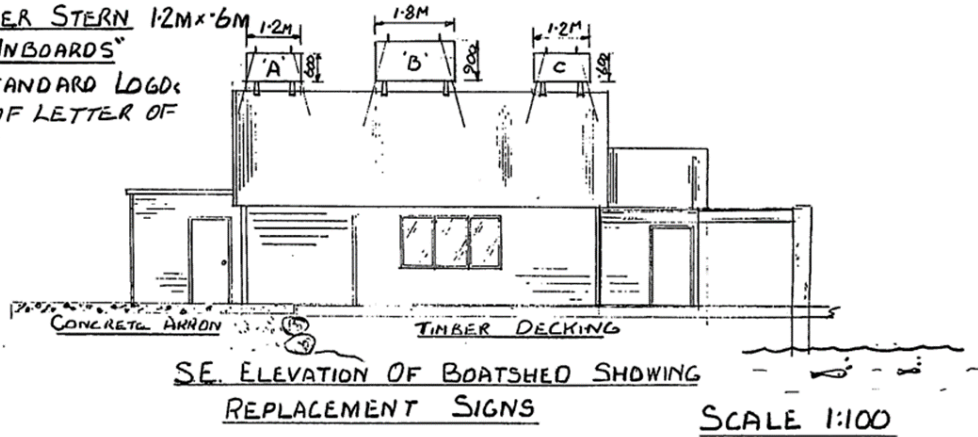


Figure 2.25 – Southern elevation 1993
submitted with DA for the installation of new signage.
Source: Crown Land Archive



Figure 2.26 – The eastern elevation during the roof replacement.
Source: Empire Bay Progress Association.

2.3 Phases of Construction and Modifications

Analysis of historical records allows some phases of construction and modifications to be identified as shown graphically in **Figure 2.27** and **Figure 2.28** below.

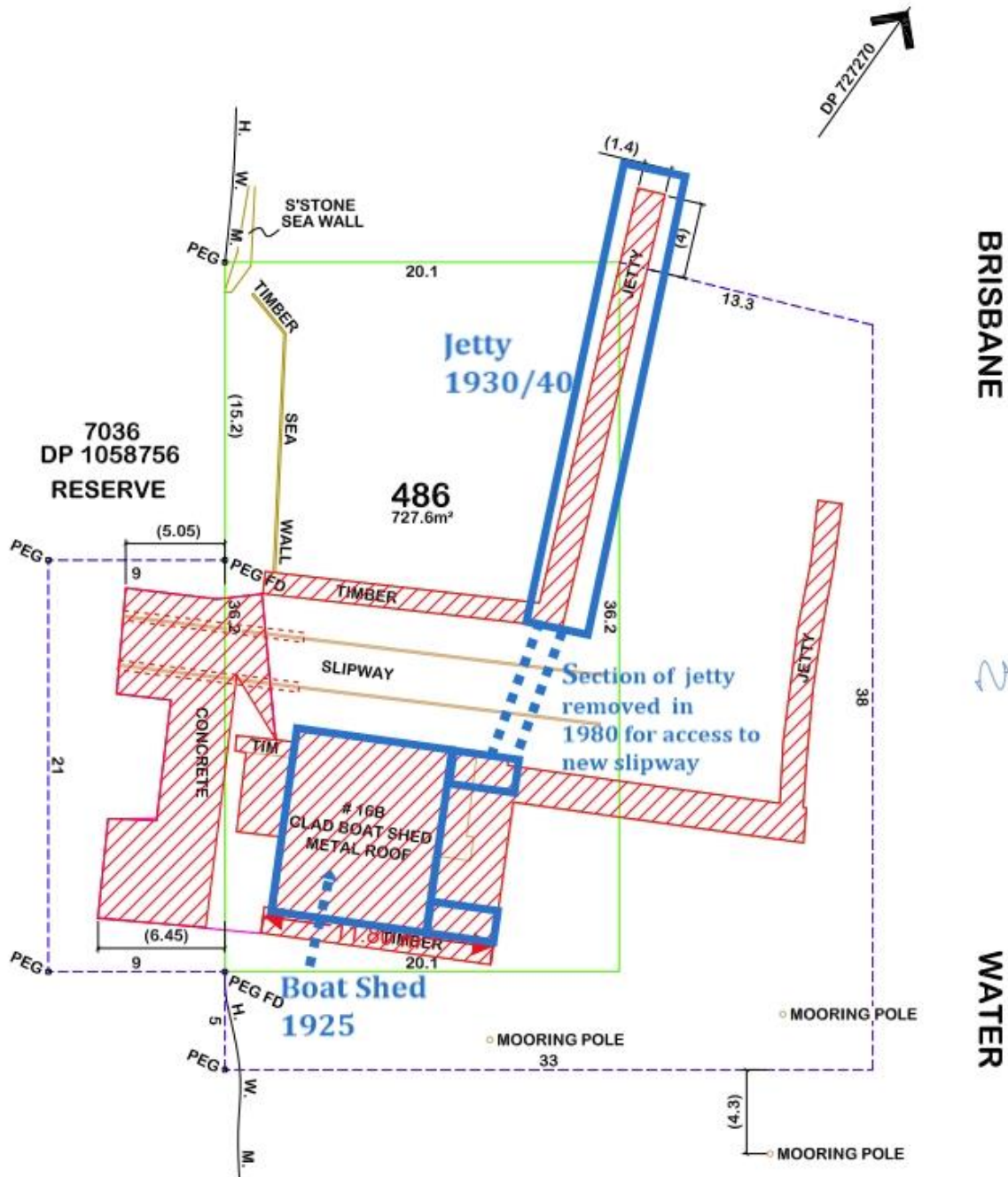


Figure 2.27 – Plan of early footprint of the Empire Bay Boat Shed and jetty c1940.

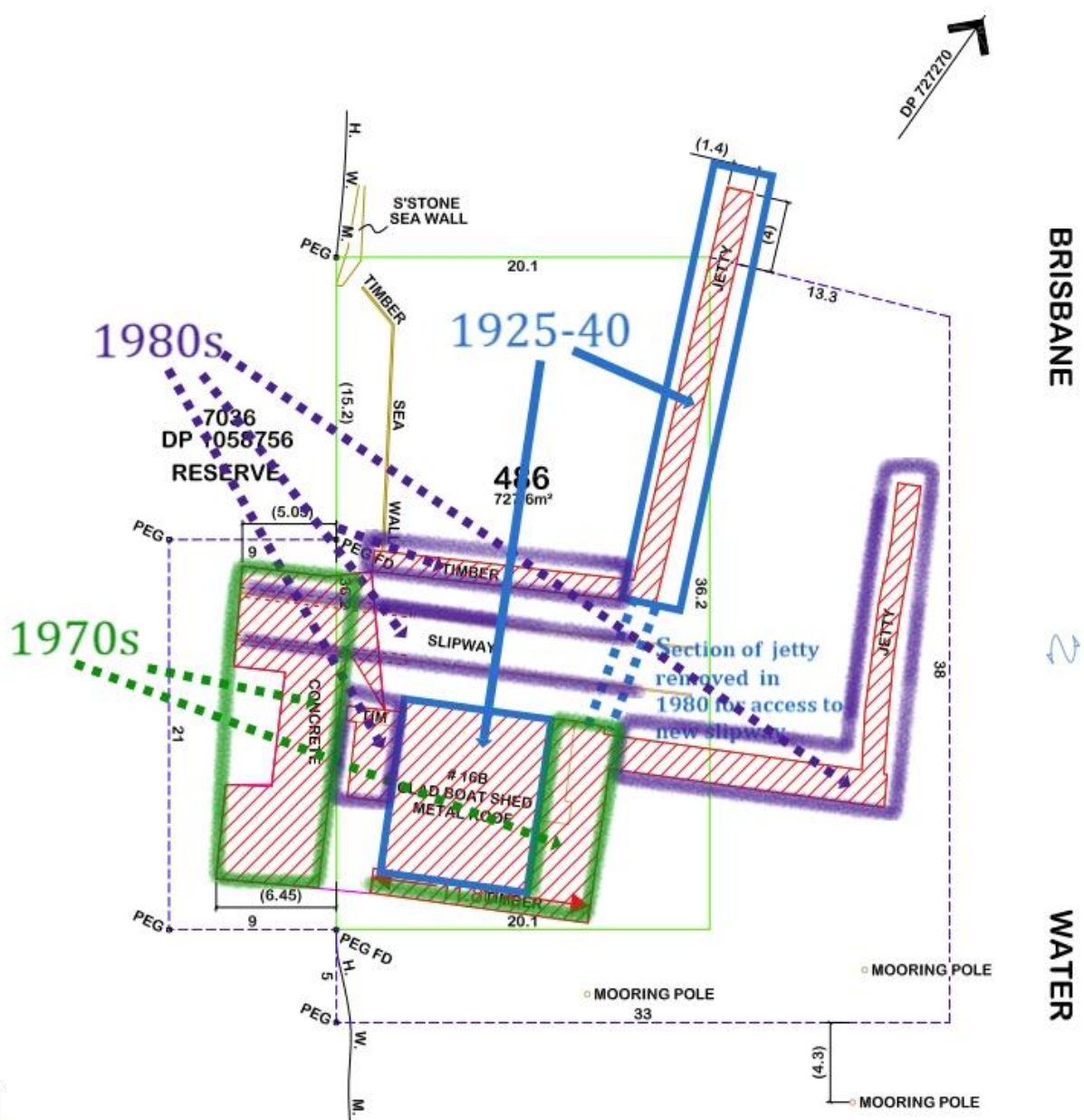


Figure 2.28 – Modifications and additions to the Empire Bay Boat Shed 1940- 1980

3. Heritage and Archaeological Values

3.1 Introduction

The heritage values of a site depend upon the assessment of its significance together with the potential it may possess to expand the existing level of knowledge. An appreciation of these factors assists in the estimation of the impact that any disturbance, damage or destruction may have on such heritage values.

Fundamental to any consideration of the heritage values of a site is an appreciation of the impact of the NSW Heritage Act, 1977 (the Act) which defines heritage items to be:

Those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for the state of New South Wales.

and defines a *relic* falling within that definition to be:

any deposit, artefact, object or material evidence that:

- (a) *relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*
- (b) *is of State or local heritage significance.*

An assessment of significance is undertaken to explain why a particular site or item is important, and to enable appropriate best practice heritage management to be determined. Considerations that form part of a heritage significance assessment include whether a site, or the fabric contained within a site, contributes knowledge or new and meaningful information, or has a considered potential to do so.

The assessment of significance is affected by the environmental and historical context of the site at the time of the assessment. In this light, significance can be seen as a variable quality. It follows that the evaluation of heritage significance is not a static value, but rather is evolutionary as a function of changing community perspectives and cultural values.

The NSW heritage assessment criterion encompasses the four values in the Australia ICOMOS⁴³ Burra Charter and these four broad values are used to assess the heritage significance of an item. It is important for items to be assessed against these values to ensure consistency across the State. While all four values should be referred to during an assessment, in most cases items will be significant under only one or two values. The four values are:

- historic significance;
- aesthetic significance;
- scientific significance; and
- social significance.

In order to apply a standardised approach to the assessment of these four values relative to items and individual elements within or contributing to items, the NSW Heritage Office

⁴³ ICOMOS – International Council on Monuments and Sites

(2001:9) has defined a series of seven criteria that will be used by the Heritage Council of NSW as an assessment format within NSW. To be assessed as having local heritage significance, an item must meet at least one of the criteria detailed in the left column of **Table 2.1** below. To meet the level of State significance, at least two criteria must be met.

- **Local level** identifies the item as being significant within an identifiable local and/or regional cultural and/or community group and/or historical/geographical heritage context.
- **State level** identifies the item as being significant within an identifiable State-wide cultural and/or community group and/or historical/geographical heritage context.

3.2 Assessment of Condition & Integrity

An assessment of condition and integrity of fabric and resources contributes to the overall assessment of heritage significance. Condition considers the physical state of the fabric of the resource and its potential for survival. Integrity observes the degree to which the residual material evidence is an appropriate representation of the resource in its original form.

3.2.1 Condition

The condition of heritage resources and/or individual elements is assessed on standardised and defined five-stage scale:

intact, where the material evidence allows a complete recording of the resource without hypothesis;

substantially intact, where the material evidence is incomplete but the recording of material evidence will be sufficient to allow an accurate reconstruction, with hypotheses based on the historical record;

standing ruin, where the material evidence is incomplete and the recording of material evidence will be sufficient to define the footprint of the resource and some of its elevations and features, but where this will be insufficient to allow an accurate reconstruction of the resource without hypotheses based on the historical/archaeological record and on a range of outside sources;

ruin, where the material evidence is incomplete and the recording of material evidence may be sufficient to define part, or the whole, of the footprint of the resource but will be insufficient to allow a reconstruction of the resource/its features, perhaps spatially and certainly vertically, without hypotheses based on the historical/archaeological record and on a range of outside sources, and in circumstances where the validation of the reconstruction cannot be assured;

archaeological site, implying a mostly sub-surface residue, where the material evidence suggests the former presence of a sub-surface resource that cannot be defined without sub-surface investigation.

3.2.2 Integrity

In order to support an assessment of significance, an item's key attributes must retain a discernible degree of integrity. That is, a site must retain material associated with historical

development that has remained largely unchanged and/or undisturbed over time. The integrity of the heritage resources and/or individual elements that have been identified during this study have been assessed on a five-stage scale from intact through to none as defined below.

Intact, where the resource has remained virtually unchanged its form and/or design and/or function can be totally discerned from the material evidence;

Minor Modification, where the resource has been modified or deteriorated cosmetically and/or in a manner that does not inhibit the discernment of its form and/or design and/or function by historical interpretation of the material evidence;

Material Modification, where the resource has been modified so that its form and/or design and/or function can be discerned only by historical interpretation and with reference to external sources;

Major Modification, where the resource has been so modified that attempted discernment of its form and/or design and/or function cannot be achieved by interpretation of the material evidence, thus requiring a heavy reliance on external sources and in circumstances where discernment of one or more elements may be ambiguous;

None, where the integrity of the resource has been destroyed, and the evidence for its form and/or design and/or function is totally external.

3.2.3 Assessment of Heritage Condition and Integrity

The assessment of condition and integrity that follows has been carried as is relevant to heritage values and heritage significance. This is separate from, and in addition to, the environmental and structural assessments.

Condition is assessed as **standing ruin**, where the material evidence of the boat shed is incomplete through modification, and/or general weathering and deterioration. However, the historical record combined with the physical evidence is sufficient to accurately interpret the original c1925 form/footprint of the boat shed, and early jetty addition, as distinct from the later intrusive modifications and obstruction of original fabric such as doors and windows.

However, aside from two sets of timber doors, it is not possible to identify any internal fabric or elements that can be conclusively associated with the occupation and use of the boat shed prior to that of c1970 owing to the extent of degradation, modification, and introduction intrusive of fabric since that time.

Integrity is assessed at the level of **major modification** as attempted discernment of its original form and/or design and/or function cannot be achieved by interpretation of the material evidence, thus requiring a heavy reliance on external sources and there are instances where discernment of one or more elements may be ambiguous, or inaccessible.

3.3 Review of Landscape Significance

To develop an understanding of heritage landscape requires rigorous research, analysis of changes that have occurred, technical understanding and considered assessment. This information can be used to identify, understand, protect and conserve evidence of significant human interactions with landscapes over time, and assist in managing change so that what is important is retained in ongoing and future use and development. Landscapes can reveal past interactions between and people and places, and be strongly connected with a sense of identity and belonging.

The landscape of the Cockle Creek Reserve might be considered a contributory element of the significance of the site. It was the precinct of early buildings, clustered along the foreshore of Cockle Creek that drew the attention of Beryl Strom in 1987 when conducting the first heritage study for the then Gosford City Council. At that time, the Empire Bay Marina was recognised as a contributory item of the foreshore landscape of Empire Bay (**Figure 3.1**).



Figure 3.1 – Foreshore reserve, boat shed (now marina) and cottages c1987 at the time of Beryl Strom’s first heritage study.

Source: Beryl Strom archives held by Gwen Dundon.

Although many of the cottages have been modified or redeveloped, with some retaining their heritage character, the foreshore landscape has changed dramatically in the nearly 40 years since Beryl Strom’s study. The foreshore cottages have been obscured to some degree with vegetation, fences replaced and facades replaced. Also highly modified, the boat shed does remain a land mark building along the foreshore and it’s presence provides a marker of a historical era in the history of Empire Bay.



Figure 3.2 – A 2023 foreshore view similar in orientation to that of 1987 above for comparison.

3.4 Assessment of Building Fabric

Standard practice during an assessment of heritage impact is to carry out an assessment of building fabric, more so when a heritage building is to be modified. However, in this case a fabric analysis has been carried out in order to identify those items or elements that might be salvageable for use in a community project driven project at some time in the future.

There is an opportunity to salvage building fabric during demolition of the boat shed that can be targeted to those items that attain some level of heritage value. However, the opportunity for salvage of material in this instance is limited due to safety issues of contamination (lead paint, antifouling chemicals), degradation (white ants, rot) and fabric that has been introduced for repairs or modification, and not considered to attain any heritage value (internal lining boards, mezzanine level, gantry structure, attempted reparations of cladding with boarding).

3.4.1 Key to Grading & Management of Heritage Fabric

Table 3.1 – Key to Grading

Grading	Justification	Prescribed Heritage Management
Exceptional Fulfil criteria for local or state listing	Rare or outstanding elements directly contributing to an item's local or state significance.	Preserve, restore and maintain all items and record relevant processes. If adaptation is necessary for the continued function and use of the place, minimise intervention, removal and/or the obstruction of significant fabric. All intervention should be reversible and archivally recorded
High Fulfil criteria for local or state listing	High degree of original fabric. Demonstrates a key element of the item's significance. Alterations do not detract from significance.	Aim to preserve, restore, and maintain all items and record relevant processes. Explore the opportunity for adaptive reuse to preserve the ongoing viability of the place if significance is retained or revealed, all intervention should be archivally recorded.
Moderate Fulfil criteria for local or state listing.	Altered or modified elements. Elements with little heritage value but which contribute to the overall significance of the item or site.	Aim to preserve, restore, and maintain most items and record relevant processes. There is opportunity for adaptive reuse or removal may be permitted to preserve ongoing viability of the place, particularly if it reveals significance of a higher level.
Little Does not fulfil criteria for local or state listing.	Alterations detract from significance. Difficult to interpret.	Retain, adapt, and add compatible new elements and/or removal as necessary for adaptive reuse, ongoing viability or in order to reveal significance of a higher level.
Intrusive Does not fulfil criteria for local or state listing	Damaging to the item's heritage significance.	Remove or adapt, in long term, to reduce adverse impact. Dispose.

Table 3.2 – Assessment of Salvageable Building Fabric

Building Component/Fabric	Grading	Proposed Management	Significant Heritage Fabric	Salvageable Items/Elements	Proposed re-use
Timber cladding c1925	High	Demolish/dispose	Yes	No	None (condition issues – contamination, white ant damage, rot)
Timber framing c1925	High	Demolish/dispose	Yes	No	None (condition and safe removal issues)
Roofing iron c1993	Little	Demolish/dispose	No	No	None (condition and storage issues)
Flooring/subfloor – obscured	Little	Demolish/dispose	No	No	None
Aluminium Windows c1980	Intrusive	Demolish/dispose	No	No	None
Timber Windows c1925	High	Demolish/dispose	Yes	No	None (condition, safe removal issues)
Double sliding doors (western) c1925	High	Salvage/store	Yes	Yes	Interpretation
Double timber doors (eastern) c1925	High	Salvage/store	Yes	Yes	Interpretation
Timber landing (eastern) >1970	Little	Demolish/dispose	No	No	None
Mezzanine structure > 1980	Intrusive	Demolish/dispose	No	No	None
Gantry c1970s	Intrusive	Demolish/dispose	No	No	None
Timbers of landings, piers, and jetties >1970	Little	Demolish/dispose	No	No	None
Remnant jetty c1930/40	Little	Demolish/dispose	No	No	None
Signage >1970	Little	Community	No	Yes	Community
Slipway rails >1970	Intrusive	Demolish/dispose	No	No	None
Motor room/motors >1970	Intrusive	Demolish/dispose	No	No	None

3.5 Review of Heritage Significance

The following table presents a comprehensive review of heritage significance against the standardised assessment criteria, and it is based on the research and comprehensive site understanding resulting from this investigation.

Table 3.3 – Review of Heritage Significance

<p>Historical significance SHR criteria (a) the importance of an item in the course or pattern of the cultural or natural history of NSW or a local area</p>	<p>The Empire Bay Boat Shed is considered an important element representing a historical era prior to the arrival of the motor vehicle and reliable road network, when reliance was placed upon water transport in private vessels and ferry services for the movement of people and goods, including the mail service from Woy Woy from 1890 to 1921. It is also significant for its construction upon Crown Land through the granting of a permissive occupancy over the land.</p>
<p>Historical association significance SHR criteria (b) the existence of a strong or special association between an item and the life or works of a person or group of persons important in NSW or a local area.</p>	<p>Historical association with the site is demonstrated with shipbuilder and entrepreneur Arthur Davis, well known to Brisbane Water history as a shipbuilder and part of the infamous Davis family of shipbuilders who are commemorated in the naming of the suburbs of Davistown and Bensville. Arthur Davis constructed the boat shed in 1924 and son Harry Davis took over the Crown tenure and business operation from 1930 until his death in 1968.</p>
<p>Aesthetic significance (SHR criteria (c) the importance of an item in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or a local area</p>	<p>The boat shed is acknowledged as landmark structure along the foreshore of Empire Bay. However, the modified structure and additions, including the jetties that surround the boat shed in the present day overwhelm and obstruct a clear understanding of the historical form and landscape context of Arthur Davis's c1925 boat shed. Modifications since 1968 have removed or obscured original fabric and features. For this reason, it is not considered that aesthetic significance is adequately demonstrated.</p>
<p>Social significance SHR criteria (d) the existence of a strong or special association between an item and the social, cultural, or spiritual essence of a particular community or cultural group within NSW or a local area.</p>	<p>There is a strong association between the 19th and 20th century Empire Bay Community, early 20th century land speculation and subdivision, and the era of weekend retreats and holidays. Social significance is further supported by the association with the Davis and Settree General Store.</p>
<p>Technical/Research significance SHR criteria (e) the potential of an item to provide information that will contribute to an understanding of the cultural or natural history of NSW or a local area.</p>	<p>There is little technical or research significance that can be demonstrated for this site and its immediate curtilage. Historical resources provide a comprehensive understanding of the site. There is no evidence to indicate that any archaeological resources or research would contribute new and meaningful information to that already known.</p>
<p>Rarity SHR criteria (f) the quality of an item to possess uncommon, rare, or endangered aspects of the cultural or natural history of NSW or a local area.</p>	<p>In reference to other contemporary, comparative examples of heritage listed, timber clad boat sheds constructed upon piers along the Brisbane Water foreshore, the Empire Bay Boat Shed could be considered rare as examples are diminishing in number due to the age, nature and location of such structures which suffer senescence and decay as the years progress.</p>

Table 3.1 – Review of Heritage Significance (cont)

<p>Representativeness SHR criteria (g) The demonstration by an item of the principal characteristics of a class of cultural or natural place or cultural or natural environment within NSW or a local area.</p>	<p>Within a state wide context, the Empire Bay Boat Shed is a representative example of its type, a reflection of an era of the historical course and pattern of development on the foreshore of Brisbane Water, set within the wider, regional pattern of the 19th century settlement story of the Central Coast with the City of Gosford the historical seat of administration. The boat shed is representative of the reliance placed upon a water transport and ferry services as the primary form of transportation for goods and people in the 19th and early-20th centuries. This was a widespread historical pattern of development, whereby all the coastal settlements along the coastal strip of New South Wales and those along coastal and inland rivers also relied upon transport by water prior to the road networks being established.</p>
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3.6 Revised Statement of Heritage Significance

The Empire Bay Boat Shed attains heritage significance for its historical and social values at a local level. There is a demonstrated historical association with Arthur Davis, shipbuilder of the historically recognised Davis family of ship builders, and son of Benjamin Davis of Bensville. Arthur Davis applied for permissive occupancy over the area of Crown Land reserve in 1924 and upon approval, in 1925 constructed a boat shed on piers, extending above the high-water mark.

In 1927, the Davis and Settree General Store opened for business, and the boat shed is likely associated with the delivery of goods for the store. Both the boat shed and the store were landmark buildings on the Empire Bay foreshore in the early-to-mid 20th century. The Davis family and the store attain social significance for the contribution to the growth of the Empire Bay community in providing a local outlet for goods and a service for holiday makers.

Social values are also demonstrated when in the 1930s and 1940s, the boat shed operated as business hiring small craft to locals and holiday makers. The operation of the shed for the maintenance of their small craft was secondary to the Davis's primary businesses.

The boat shed was constructed and operated as a private enterprise until Arthur Davis's death in 1968. Commercial operation of the site as a marina from the early 1970s is not associated with the Davis family, or with the history of the boat shed pre-1968.

The design and scale of the 1925 boat shed appears to be unique within Brisbane Water, and possibly, the wider context of New South Wales, and could be reasonably considered rare as the few remaining examples of this type of structure are lost to deterioration and time. The boat shed could also be considered a representative example of its type within the dwindling numbers of other known examples.

3.6.1 Clarification on Significance

The evolution of the boat shed to a commercial marina from the 1970s, while identifiable to the community with a living memory of the site, and an interesting evolution of the site, does not readily contribute to the heritage significance of the c1925 boat shed. It could be reasonable to consider the c1970-2020 use of the site as detrimental to heritage values as the cause of the irretrievable demise of the structure and the site.

Historical assumption of an association of the Empire Bay Boat Shed with late 19th – early 20th century shipbuilding on Brisbane Water has been discounted through rigorous historical research. An earlier construction date of c1905 has also been conclusively discounted.

3.7 Heritage Curtilage

Heritage curtilage means the area of land (including land covered by water) surrounding an item or area of heritage significance which is essential for retaining and interpreting its heritage significance.

The Empire Bay Boat Shed was constructed as a boat shed by Arthur Davis in 1925, the original structure described as “boat shed on piers”. A small jetty to the north of the boat shed was present in the 1930s/1940s. It is these elements which are of heritage significance and comprise the heritage curtilage of the site, accurately reflecting the footprint of the original permissive occupancy issued to Arthur Davis in 1924 and granted without objection given he owned the adjoining allotments.

As the boat shed was constructed within the foreshore landscape and has a substantiated association with the Empire Bay General Store, located opposite, and the Davis dwellings either side of the store, it might be reasonable to include a portion of the reserve land between the two as part of the curtilage. **Figure 3.2** below provides a graphic representation of the reasoned curtilage of the site. As can be seen, the proposed curtilage excludes the jetties on the basis they are associated with the c1970s use of the site and/or don't contribute substantially to an understanding of the 1925-1968 history of the site.



Figure 3.3 – Curtilage of the Empire Bay Boat Shed.

3.8 Comparative Sites

An understanding of comparative sites across the LGA and/or across a wider regional context, can assist in an assessment of relative significance and in the evaluation of how representative or rare a site might be.

Table 3.4 – Comparative Sites – Boat Sheds Central Coast LEP 2022

Suburb	Description	Address	Lot/DP	Significance	Item #
Bensville	Boat shed	Wharf Parade, near Hastings Wharf	Part of Lot 7321, DP 1166048	Local	I5
Davistown	Scandrett’s boat shed and wharf	End of Mirreen Avenue, adjacent to Illoura Reserve	Adjacent to Lot 7037, DP 1075591	Local	I20
Hardys Bay	Boat shed	Opposite 182 Araluen Drive		Local	I69
Patonga	Bushfire Brigade fire Boatshed	Patonga Creek Reserve, adjacent to 8 Patonga Street	Part of Lot 7177, DP 1057461	Local	I215
Pretty Beach (2 sites)	Historic boat shed	Araluen Drive walking track	Adjacent to Lot 16, DP 7524 Adjacent to Lot 312, DP 608648	Local	I237/I238
South Tacoma	Boat shed and landing	14–15 South Tacoma Road	Lot 3, DP 4065; Lot 14, DP 11202	Local	I268
The Entrance	Boat shed and Norfolk Island pines	10 The Entrance Road	Lot 395, DP 39469	Local	I294
Wagstaffe	Boat shed	7 Wagstaffe Avenue (waterfront)	Lots O and P, DP 4961	Local	I317
Wagstaffe	Boat shed and Norfolk Island pines	43 Wagstaffe Avenue	Lot 222, DP 514964	Local	I319
Ettalong Beach Archaeological Site	Remains of boat shed	Ettalong Beach foreshore, end of Ferry Road		Archaeological	A12

Of the ten boat sheds, or former boat shed sites listed on the CC LEP 2022, few are contemporary or directly comparative to the Empire Bay Boat Shed. However, the number of extant boat shed sites is small in comparison to the number that were present around the foreshore of Brisbane Water in the early 1900s. Scandrett’s Boat Shed at Davistown is considered a comparative example.

Across New South Wales, the SHI lists a total of 65 sites described as “boat shed” with all listed as locally significant (including those listed on the CC LEP 2022). There are no items listed that attain State Heritage significance. A more refined search for boat sheds constructed between 1900 and 1930, for comparative analysis, returned 17 items. Of those items, most are small in scale and located in proximity and in association with a cottage or residence around the foreshore of Greater Sydney. One item comparable with the study site is the boat shed located at Miranda in the Sutherland Shire [SHI 2440585].

An overview of both these comparative examples is provided in sections following.

3.8.1 Scandrett’s Boat Shed

A comparative analysis of the Scandrett’s boat shed is presented here as a contemporary boat shed’ located within the Central Coast LGA, and constructed in a similar form to that of the Empire Bay boat shed. Although slightly smaller in scale, and clad in fibrous sheeting, it’s location and orientation on the Davistown foreshore at the high-water mark is comparable with that of the Empire Bay Boat Shed (**Figure 3.4**). The SHI provided the statement of significance reproduced below. The full SHI is included in **Appendix 2**.

Scandrett's Boat shed, wharf and slipway on the foreshore of Illoura Reserve, Davistown has historic and social significance as a very early access point to Gosford district, associated with the early development and industry of the Gosford township, and early transport systems to the region. Although none of the original 1880 structure remains, this does not diminish the site's significance due to its continued use as a wharf site and as a landscape feature of the area.

The simple gable design and form of the Scandrett’s boat shed, with wharf and slipway, is similar to that of the Empire Bay Boat Shed but it is noted that none of the building fabric of the original 1880 structure remains, supporting the notion that buildings of this type have a limited lifespan. It is assumed from the information of the SHI that the building was replaced during the inter-war years (although this has not been substantiated and details such as whether footings or piers were replaced are not known). Little specific historical context has been provided within the SHI such that further comparative analysis, other than physical comparison, has not been possible.

Views are provided in **Figure 3.5** to **Figure 3.9**.



Figure 3.4 – Location of Scandrett’s Boat Shed in relation to the study site.



Figure 3.5 – Western elevation of Scandrett's Boat Shed.



Figure 3.6 – Southern and eastern elevations of Scandrett's Boat Shed.



Figure 3.7 – Slipway and cradle for Putt Putt boats likely very similar to the early slipway at the Empire Bay boat shed.



Figure 3.8 – Interpretation of the Yow Yow Estate located on the Davistown foreshore adjacent to Scandrett’s boat shed.

3.8.2 Miranda Boat Shed, Yowie Bay

The Miranda Boat Shed, located on the foreshore of Yowie Bay in the Sutherland Shire, is comparative for its Crown tenure in the early 20th century.

The structure evidences permissive occupancy of crown land since early Twentieth Century. Evidences settlement following the subdivision and sale of the Matson City Subdivision - 1916/1919. The group evokes the early character of the waterfront. The building is a good example of the boathouse typology. The building is an altered example of early Twentieth Century construction.

A single storey freestanding boat shed that dates from the Interwar period within an estuarine setting that has retained its historic context. The building is built on sandstone piers, below Mean High Water Mark. The site has a timber ramp. The site features mature trees and indigenous vegetation. The façade presents a simple symmetrical elevation and is clad in fibro. The roof is gabled with a medium pitch. The roof is clad in corrugated sheet metal and features fibro gable and cladding. A verandah runs across the façade and features timber posts and brackets. The door is aluminium sliding. Fenestration comprises vertically proportioned timber windows. The interior was not inspected.

Unfortunately, no detailed images of this item have been sourced for comparative analysis. However, information can be drawn from aerial views (see **Figure 3.10** and **Figure 3.11**) and the SHI statement of significance that is indicative of comparative status, including:

- Permissive occupancy over the site and privately constructed for individual use (not public use as per the ferry wharves);
- Association with the early sub division and land sales of the area;
- Constructed on sandstone piers below the mean high water mark;
- Modifications and alterations to original construction; and
- Symmetrical elevation with gable roof with corrugated iron roofing.

The SHI is included in **Appendix 2**.

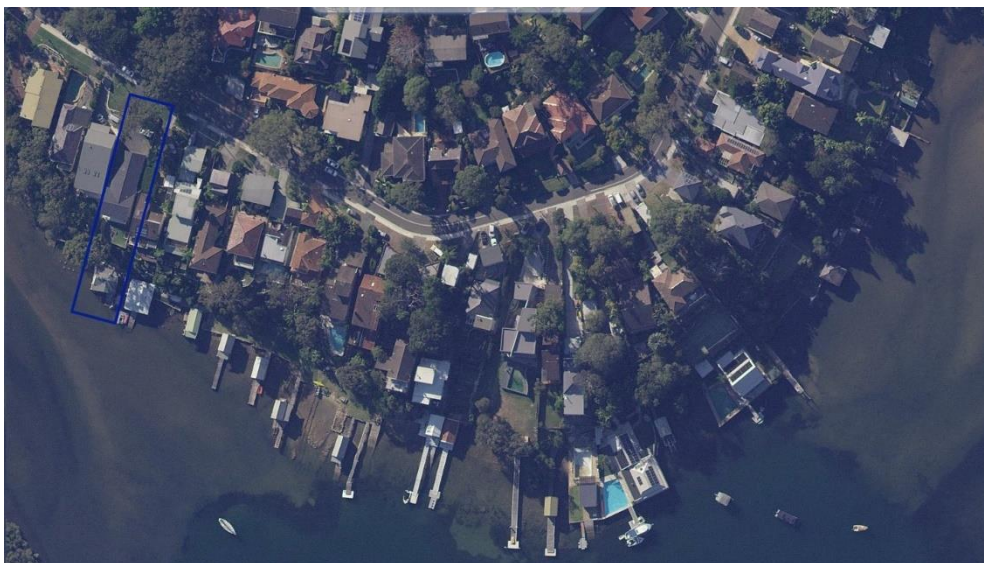


Figure 3.9 – Heritage listed Miranda Crescent Boat Shed (shown in blue) Matson Crescent, Miranda. Note the number of surviving boat sheds around the foreshore is still similar in comparison to the historical imagery below.

Source: SIX Maps



Figure 3.10 – Miranda Boat Shed, Matson Crescent, Miranda, 1943 showing the now heritage listed Miranda Boat Shed and many other boat sheds along the foreshore of Yowie Bay.

Source: SIX Maps historical imagery

3.9 Synthesis and Analysis

- The Empire Bay Boat Shed is not associated with the historic era of shipbuilding on Brisbane Water. Ship building did not occur at this site despite the association of ownership with ship builders Arthur Davis and his son Harry Davis.
- The construction of the MV Erina II is associated with Arthur Davis, but not with the construction and operation of the Empire Bay boat shed. The Erina II was constructed on the foreshore of Cockle Creek about 100 metres to the north of the boat shed in the location of present day 34 Sorrento Road.
- There is a substantiated historical association between the boat shed and with well recognised shipbuilder Arthur Davis, son of Benjamin Davis, who applied for permissive occupancy over the foreshore land opposite his residential land, and it was Arthur who constructed the boat shed in early 1925.
- Arthur lived opposite the boat shed, in his residence on Sorrento Road, and next to the Empire Bay Store operated by his son Harry Davis and daughter Olive Settree.
- There is a likely association between the Empire Bay Boat Shed and the use of the landing by ferries making deliveries of goods for the Davis and Settree General Store in the 1920s and 1930s. However, no historical references have been sourced that substantiate this.
- As the public wharf had already been established prior to the construction of the Davis boat shed, it is reasonable to conclude that the boat shed was for private use by the Davis family, and quite possibly served as a delivery point by ferries transporting goods from Woy Woy to the Davis and Settree store which operated from 1927 until about 1984. There is a demonstrated association, through historical images, with the use of the boat shed for boat hire in the era of tourism, holiday makers and water recreation at Empire Bay during the 1930s and beyond.

- There appears to be a slipway present in 1963 (observed in archive documents and remnants observed at site inspection), and this is indicative that at least some repair and maintenance was being carried out on the Davis's small hire craft. It does not indicate the use of the boat shed as a commercial marina.
- The use of the boat shed for a commercial marina commences following the death of Harry Davis when Crown tenure transferred to Ronald Frederick Bowden in 1971. Bowden installed a petrol pump and 1000-gallon underground tank. Even at this early stage in the use of the boat shed as a commercial marina, issues of rubbish, motor parts and timber accumulating on the reserve adjacent, saw Bowden issued with letters requiring him to remove rubbish, and carry out repairs to the building.
- The terms of the Crown tenure continually expanded over time with a number of approvals given for an expansion of the area, resulting in the addition of jetties c1980 and the footprint of the present day.
- A clear distinction must be made between the heritage values of the Davis family's early 20th century business enterprise with the use of the c1930/1940 jetty for the hire of small craft for the holiday/tourist trade, and that of the late 20th century/early 21st century evolution of the boat shed into a commercial marina and use as berths for larger vessels.
- No historical evidence has been found to indicate the use of the boat shed as a terminal, or as a berth for the local ferry operators. It is therefore concluded that the Empire Bay Boat Shed was not associated with the historical network of ferry wharves around Brisbane Water.
- While the use of the site as a commercial marina is the association best recognised by the community of today, and it is an interesting evolution in the history of the site, heritage values lie, for the most part, with the early 20th century historical and social associations with Arthur and Harry Davis and the establishment and operation of the Davis and Settree waterfront store.
- Comparative examples are few within the system of recognised heritage listings. This is likely the result of many similar structures having succumbed to senescence after reaching their prescribed life span.
- Given the assessment of highly reduced structural integrity, in addition to the very much reduced assessment of heritage condition and integrity (where integrity was assessed at the level of major modification and condition was assessed as standing ruin), the Empire Bay Boat Shed cannot be considered a good example of its type.
- Specialist technical advice has been sought on the current structural condition and integrity, and site contamination. Conclusions drawn from these specialist reports are that, in addition to legislative requirements, environmental remediation is urgently required. Remediation would require demolition of the structures in order to safely remove the underground fuel tanks, vents and lines, and to access the contaminated sediment beneath and surrounding the timber piers and jetties.

3.10 Archaeological Assessment

3.10.1 Statutory Framework – Archaeological Management

To re-iterate, fundamental to any consideration of the archaeological values of a site is an appreciation of the impact of the relic's provisions of the NSW Heritage Act, 1977 (the Act) which defines heritage items to be:

Those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for the state of New South Wales.

and defines a relic falling within that definition to be:

any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

The definition of a work can also be relevant to an archaeological assessment where a work is defined by dictionary definitions such that a work is taken to mean 'an engineering structure, such as a building, bridge, dock, etc'. Based on this definition, structures such as bridges, culverts, drains, and the like, are considered 'works' not relics. Industrial sites and subsurface footings and structures such as cellars or wells are, by definition, works, not relics, and therefore not subject to the relic's provisions of the Heritage Act.

As previously mentioned, the implications of the definition are that where a work will be impacted by a project, there is no requirement for a statutory permit application under the NSW Heritage Act 1977. However, the potential for the relics' provisions of the Heritage Act to be triggered should be carefully considered if a site is to be disturbed and/or there is a reasoned potential for relics to be exposed near, or in association with, a work.

If the exposure of relics is considered possible, appropriate management measures should be put in place, including the need or not for an application for an excavation permit, or for an exception or exemption permit. In addition, an item, element, or site defined as a work and considered to attain a level of heritage or archaeological significance, should still be the subject of appropriate heritage and/or archaeological management.

3.10.2 Archaeological Potential

The main aim of an archaeological assessment is to identify whether an archaeological resource is of value. This is achieved through an assessment of the potential for significant archaeological resources to occur at a site, or whether it is reasonable to conclude otherwise. It is useful to examine the evidence for potential archaeological resources by anticipating the nature and extent of any such resources with reference to an understanding of the historical context of the site.

To be significant for archaeological values, any archaeological resources that might be reasonably anticipated to be present, should be able to contribute knowledge, or new and meaningful information to that known, or at least have the potential to do so. The

assessment of archaeological significance is affected by the understanding of the historical cycle of development and re-development, and evidence of the historical context of the site, as it is known at the time of the assessment.

Relevant to archaeological potential is an understanding of site disturbance. The location of the site along the foreshore would have subjected the structure to a high degree of disturbance. It would be reasonable to expect that archaeological resources have been impacted by several factors, including the cycle of modification and additions, particularly since the early 1970s, attempted reparation to the sub-structure and piers, as well as the constant exposure to weather, inundation during flooding and the tidal cycle. The most destructive disturbance would be the use of the site as a marina and the accretion of motors and spare parts that would have entered the archaeological resource inadvertently with the potential for contamination that would render the archaeological resource inaccessible.

In addition, ground disturbance for the installation of the underground fuel tanks c1970, would have disturbed and removed any relatively intact archaeological resources in the immediate precinct of the boat shed above the high-water mark within the Crown Reserve.

3.10.3 Assessment of Archaeological Potential

Archaeological potential has been determined using a scale of gradations (**Nil**, **Low**, **Moderate** and **High**) to indicate the degree to which archaeological remains are likely to be present and/or have survived. Known site disturbance, as detailed above, has been considered in the reasoning of the archaeological assessment.

The potential for archaeological resources to be present above and below the high-water mark of the Empire Bay boat shed is assessed as **low**. In addition to the gross disturbance of the site since the 1970s, the potential for contaminated sediment and the presence of detritus associated with the use of the site as a commercial marina is considered to have substantially reduced the potential for the survival of meaningful archaeological resources of earlier phases of occupation and use of the boat shed.

3.10.4 Archaeological Significance

While the potential for archaeological resources may exist in an area, it is the potential of these resources to contribute to existing historical and archaeological records that must be assessed in order to inform the most appropriate archaeological management strategies.

Archaeological significance may be linked to historical and social significance in addition to the traditional research category, especially where sites were created as a result of a specific historic event or decision, or when sites have been the actual location of a particular incident/s, event/s or occupancies. It is possible for archaeological values to be intangible and for these values to change over time as a reflection of changing community values.

According to the guidelines for archaeological assessment, three questions may be applied in order to assess whether any anticipated archaeological resources are of significance. Can/does the resource have the potential to contribute knowledge that:

- No other resource can?
- No other site can?

- Is relevant to general questions about human history, Australian history or other major research questions?

The emphasis in these three questions is on the need for archaeological research to add to the knowledge of the past in an important way, rather than merely duplicating known information or information readily available from other historical sources.

Each of the questions is applied to the study site below.

Can/does the resource have the potential to contribute knowledge that no other resource can?

It is considered unlikely that any archaeological resources within the curtilage of the boat shed would contribute knowledge of the site, the history of Empire Bay, shipbuilding on Brisbane Water or the wider settlement history of Gosford, not already understood from existing historical and/or archaeological resources.

Can/does the resource have the potential to contribute knowledge that no other site can?

As a result of this study, the history of the Davis Empire Bay boat shed is now well documented. However, there is always some potential for any archaeological resources present on a site to be unique to that site, in this instance, that of the early 20th century Davis family boat shed. There is a very limited potential for items associated with the early use of the site, such as bottles or ceramics, to survive in the environment or sediment. However, that resource is likely to be extremely disturbed and possibly confused due to the more recent use of the site as a commercial marina.

Photographic evidence of the recent use of the site would indicate that there is potential for components of boat motors and other items such as tools or disposed items to have entered the archaeological context.

The wholesale disturbance of the site from the early 1970s must be acknowledged as a source of highly destructive disturbance. More than likely, this disturbance has destroyed any meaningful archaeological resource.

Is the resource relevant to general questions about human history, Australian history, or other major research questions?

There are no reasoned questions about human history, Australian history or other current major research questions that might be addressed through the archaeology of this site.

3.10.5 Archaeological Impact Assessment

Based on the assessment of low likelihood for the presence of significant archaeological resources to be exposed through demolition works, it is reasonable to consider that the potential for archaeological impact is also **low**. Rarely can the potential for archaeological resources be discounted entirely. However, the low likelihood for any impact could be mitigated even further by the considered management for the exposure of any archaeological works or relics, expected or otherwise.

3.10.6 Archaeological Management

Archaeological assessment concluded that there is no reasonable expectation for significant historical archaeological resources to be exposed by demolition works. However, site personnel should be made aware that the discovery of a suspected work or relic still needs to be managed appropriately.

The provisions of the NSW Heritage Act 1977 in relation to the exposure of a relic or work, or potential relic or work, require that those responsible for the discovery must notify nominated management personnel who will in turn suspend work that might have the effect of disturbing, damaging, or destroying suspected works or relics. An unexpected finds strategy is best practice should works expose a suspected work or relic, whereby advice should be sought from the project archaeologist on the most appropriate management.

3.11 Statement of Heritage Impact

A statement of heritage impact (SOHI) is prepared to assist in the review and approval process when a project could potentially impact upon a heritage item. The purpose of a SOHI is to explain how the heritage value of an item might be affected by proposed works. Impact may be positive when an item is to be conserved or enhanced, or impact may be detrimental if the site is to be disturbed or destroyed.

3.11.1 Review of Anticipated Demolition Works

Demolition would require access and movement in and around the site by heavy machinery, heavy vehicles, small vehicles and personnel. Access to the site would be through the Cockle Creek foreshore reserve. Demolition would require the removal of material by heavy vehicles for disposal.

In review, the proposed demolition is understood to comprise the following works:

- Removal of all structures above the Mean High Water Mark (MHW):
 - Remove timber jetty boardwalk, beams and joists.
 - Trim taller piles to match the jetty piles.
 - Remove light poles, aerials and vent pipes on Jetty.
 - Cut and remove slipway rails above MHW.
 - Remove part concrete hardstand fronting the boat shed as far as reasonably practical, allowing for UPSS removal.
- Demolition of boat shed:
 - Demolish all elements above the MHW including of beams and joists.
 - Decommission and remove UPSS tanks and remediate site accordingly.

3.11.2 Application of SOHI Guideline Questions

According to the guidelines of the NSW Heritage Manual, the following statements are addressed to proposed works as part of a SOHI.

The following aspects of the proposed project respect or enhance heritage significance for the following reasons.

The loss of the Empire Bay Boat Shed through demolition can only be interpreted as a negative impact upon the heritage values of the site and of the foreshore landscape of 'The Bend' along Cockle Creek. Respect is achieved through the dissemination of the detailed and accurate historical context now understood through this investigation and report, and the commemoration and interpretation of the site as an element of the early 20th century history of Empire Bay and the role in which the Davis family contributed to development of the area.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons have been explained as well as the measures to be taken to minimise impacts.

The total loss of the Empire Bay boat shed through demolition can only be assessed as a detrimental impact. It is unfortunate that structures such as this do have a life span⁴⁴ given the marine environment and exposure to the elements, tides and in this instance, the use of the shed for a commercial marina which have ultimately resulted in the deterioration, contamination, and loss of the structure.

The works proposed would result in the demolition of the super structure of the boat shed, with supporting piers left in place. Removal of the supporting piers are planned as a second stage of environmental assessment and remediation which are beyond the scope of the current application. Whether any of these piers can be left in place for interpretation would need to be carefully assessed and the authority responsible for management and maintenance established.

In this instance, any perceived negative heritage impact through the loss of the Empire Bay Boat Shed can only be reasonably mitigated through archival recording and interpretation of the site through a considered interpretation strategy.

The following sympathetic solutions have been considered and, if discounted, reasons have been provided.

1. **Do nothing** – retain the boat shed and its surrounding structures and elements without intervention other than to make safe, exclude public access, and allow senescence and decay to progress while excluding the use of the area and managing the ongoing risk to public health and safety.

Discounted as not feasible – environmental hazards and public health and safety risk is unacceptable and regulated by SafeWork NSW and the Environment Protection Authority. The long term impact to the marine environment by contamination is also unacceptable. The option to take no action restricts the use of the public reserve by exclusion with no heritage respect/outcome.

2. **Conserve** the boat shed by returning it to its heritage form and function through removal of detrimental elements. Conserve the building as possible through major structural and building reparation, in essence conservation works to salvageable

⁴⁴ Refer to

fabric and replacement with new material where required. Future use might open the building for public/community use.

Discounted as not reasonably feasible on anticipated and substantial financial grounds and/or for long term management. From its construction in 1925, the boat shed has never served as a publicly accessible building. Structural and engineering assessments (please refer to specialist’s reports) have indicated that all piers and sub-frame components would require replacement to bring the building into compliance with current building codes – essentially requiring demolition of the super structure. To bring the structure into compliance with current building codes, along with all ability access, would be prohibitive. Given the location of the site, restricted vehicle access, exposure to the marine environment, and the extreme challenges for making the boat shed suitable for community use are prohibitive.

3. **Demolition salvage** of the bulk of building materials for use in reconstruction/replication of the boat shed either on site or within the Cockle Creek Reserve and to allow future public access/use.

Discounted as not reasonably feasible on condition, safety and financial grounds and/or for long term management. The practicalities of this option would require substantial resources and skills. Based on specialist’s assessment reports, the entire structure would have to be replaced with new material as most elements of the existing structure are beyond repair and/or are contaminated and unsafe for re-use. It would, in essence, be a new structure, built to comply with contemporary building standards and codes.

The merit of heritage outcomes through reconstruction/replication (and the degree to which this could be practically achieved) should also be carefully considered with reference to what, if any, heritage significance would be retained by very limited salvage demolition and replication. Reconstructions are often influenced by social and political forces that can be difficult to resist and this can lead to outcomes of little true heritage or conservation value. A replica building might provide a way in which to appease a community, but ultimately be constrained in its ability to meaningfully inform future generations on heritage values.

4. **Community proposals.** During community consultation, two community driven proposals have been raised. The first, an alternative option to demolition with proposed management of the building by a community organisation who have prepared a business plan. The second is a proposal to construct a shelter shed with facilities, to offset the loss of the boat shed, replicating the shed that formerly stood on site of the Public Wharf c1930s.

Details of proposed community concepts/projects can be obtained through direct contact with the Empire Bay

Please note that the community proposals presented above have not been endorsed and no commitment has been made by Crown Land for their carriage. These projects have not been assessed for heritage outcomes or heritage impact. Likewise, the practical realities and feasibility of the proposals has not been comprehensively explored within the context of this heritage impact assessment.

3.11.3 2023 Guidelines for SOHI

New guidelines for the assessment of heritage impact were issued by Heritage NSW on 20 June 2023⁴⁵. Guidelines specific to the demolition of a heritage item have now been included (refer page 8 of the guidelines) and those guideline considerations are included here in the interests of providing the most up-to-date complying assessment of heritage impact.

- **If demolition is proposed, why is it necessary?**

Demolition has been proposed based on the results of comprehensive structural and engineering specialist investigations which have concluded that the structure has been seriously degraded in condition and structural integrity. In addition, as a result of the use of the site for commercial marina operations, environmental remediation is required in the sediment beneath and surrounding the boat shed and jetties. The demolition of structures would allow safe working access to achieve the required level of remediation which includes the removal of the underground fuel tanks and infrastructure. The structural report notes that removal of underground storage tanks and remediation would result in further undermining of the shed, precluding retention.

- **Have options for retention and adaptive re-use been explored? If yes, set out why these options have been discarded?**

There is some community support for the retention and adaptive re-use of the site for a publicly accessible community venue. There is also community support for the removal of the structure. However, the highly degraded condition and integrity of the structure, (refer to Douglas, 2021; iPRA, 2020, and Northrop, 2022), in addition to the identification of high levels of contamination within, surrounding and beneath the structure (refer Douglas, 2021), preclude the retention of the structure and/or its reconstruction from salvaged material and/or reconstruction of a new structure upon the site until the site has undergone successful environmental remediation. It is well understood that, in addition to legislative requirements, in the vast majority of cases, public safety must be prioritised over heritage considerations.

Please refer to the specialist's reports referenced in **Section 1.9**

- **Has technical advice for demolition been obtained?**

Specialist technical advice has been sought on structural condition and integrity, and site contamination. Conclusions drawn from these specialist reports are that environmental remediation is urgently required and that remediation of the site requires the demolition of the structures in order to safely remove the underground fuel tanks and lines, and to access the contaminated sediment beneath and surrounding the timber piers and jetties.

Please refer to the specialist's reports referenced in **Section 1.9**

- **Identify and include advice about how significant elements, if removed by the proposal, will be salvaged and reused.**

⁴⁵ The new Heritage NSW guidelines for heritage impact statements can be accessed at <https://www.environment.nsw.gov.au/research-and-publications/publications-search/statements-of-heritage-impact>

Please refer to **Section 3.4** where an assessment of building fabric has been carried out and where the salvage of limited of items is recommended. The re-use of items would likely be incorporated within an interpretation strategy/station but details have not yet been formulated.

3.12 Summary SOHI

Based on the results of rigorous study of the history and heritage values associated with the Empire Bay Boat Shed including the clarification of historical and social associations with the Davis family of shipbuilders, the unavoidable loss of the Empire Bay Boat Shed can only be assessed as a detrimental impact upon the heritage site and the revised heritage values.

Mitigation measures are limited to the salvage of items that can be dated to the early form of the boat shed and to an interpretation strategy that commemorates the history of the site within the wider history of Empire Bay inclusive of the role the Davis family had in the social and commercial sectors of the community.

It is acknowledged that the landscape amenity of the Cackle Creek foreshore and the Empire Bay foreshore reserve would be materially impacted by the loss of the boat shed. This may be perceived as a negative impact. However, this loss would be positively mitigated through the return of the foreshore space for public access with the potential for future, community driven projects, including interpretation, to be undertaken along the Cackle Creek Reserve.

4. Heritage Management

To re-iterate, Section 4 of the NSW Heritage Act 1977 defines "environmental heritage" to mean those places, buildings, works, relics, moveable objects, and precincts, of historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value that are assessed as significant to the State or at the local level.

Ideally, significant heritage resources should remain undisturbed to be conserved *in situ* within the framework of the Burra Charter. Such a course is frequently impossible or impractical and questions are posed by the conflicting aims of heritage conservation and public safety issues and environmental remediation. There are parallel issues of site conservation and the need for environmental remediation that must be balanced within the legislative framework.

Public safety is an issue which can sometimes conflict with preferred heritage management strategies and it is accepted and expected practice that public safety be considered a priority over other management issues.

The important general principles to consider regarding the management of heritage in New South Wales are:

1. The legislative obligations under NSW heritage law to take appropriate action to manage heritage items as prescribed in the NSW Heritage Act 1977 and as incorporated in the Local Government Heritage Guidelines.
2. Heritage significance is based on established assessment criteria. If the value of a heritage item is not clear, a precautionary approach should be adopted until a definitive assessment can be made.
3. Management of an item should be based on the significance of the item and the practical realities for its conservation. Management does not preclude adaptive re-use or the installation of modern facilities, and it does not automatically preclude demolition..

4.1 Recommendations

These recommendations are made on the basis that the boat shed and its surrounding elements are defined as works, not relics, and therefore works to demolish are not subject to the Relic's provisions of the NSW Heritage Act. Therefore, there is no need for an application for a statutory permit to cover the proposed demolition or the removal of piers beneath the boat shed and the jetties.

Recommendation 1 – Archive Record

In reference to the complete recording of the structure, the boat shed with landings and jetties has been recorded in plan, elevation and in 3D formats as part of structural, environmental and heritage management to date. There already exists a library of images within the many specialist reports along with those taken during the heritage study. In addition, a series of drone images has been taken for aerial views.

An archive record of the Empire Bay Boat Shed should be prepared for public access through local history repositories such as the Local Studies Section of the Central Coast Library and local historical groups. The archive record should be prepared according to the guidelines endorsed by the Heritage Council of NSW, *How to Prepare Archival Records of Heritage Items*.

The archive should include a selection of external and internal images and include the results of survey/s carried out to date, including a 3D survey. A photographic record should also be taken during the demolition of the boat shed and surrounding features and those images should be included in the record.

Recommendation 2 – Due Diligence

During demolition works, all care and due diligence should be practiced in order not to cause inadvertent impact upon those heritage items located close to the study site (refer Section 10.1.2 and Figure 1.6). The movement of heavy vehicles and equipment should be carefully planned, executed, and monitored.

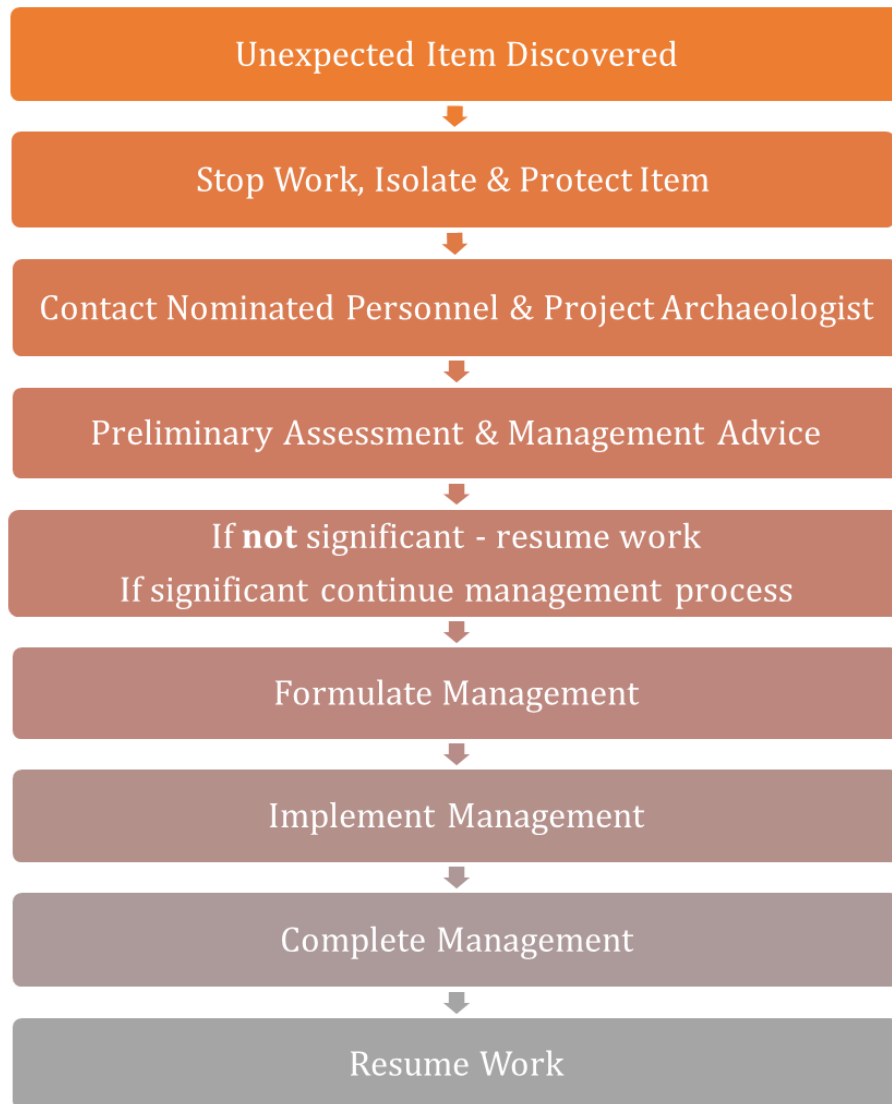
A record of demolition should be kept by the demolition contractor and provided to Crown Land for inclusion in the archive record.

Recommendation 3 – Unexpected Archaeological Finds Strategy

The likelihood of the presence of significant archaeological resources, at risk of exposure during demolition works, is considered low and not reasonably expected. However, to adequately manage the exposure of archaeological remains (works or relics), it is recommended that an unexpected finds strategy is created for use during demolition works, whereby site personnel are made aware of the procedure to follow should the unexpected occur. A heritage specialist should be retained in an “on-call” capacity to provide heritage/archaeological advice should it be necessary.

An unexpected finds strategy should include a briefing to site personnel on the definition of a work or relic and when to activate the unexpected finds strategy. The strategy should clearly outline the procedure to follow should a work or relic be suspected during any demolition or ground disturbance (above and/or below the high-water mark). It should include the contact details for those responsible for management and follow the flow chart provided below.

A detailed Unexpected Finds Strategy could be part of a Construction Management Plan.



Recommendation 4 - Salvage of Building Fabric

The salvage of building fabric should be guided by the detailed assessment contained in **Section 3.4**, and as summarised in the table below. Those items deemed suitable for salvage and storage are highlighted. Items requested by the local community are also shown. Salvaged items should be stored in a secure, weatherproof place, ideally close by in Empire Bay, until such time as a future use for the items can be determined. Items should be stored for a period of no more than twelve months, time to allow for the planning of a community or Council project, or interpretation project. At the conclusion of the twelve-month period, if the salvaged items have not been utilised as for interpretation or by community projects, they may be disposed as Crown Land sees fit.

Items for gifting to community should be collected without delay to avoid storage issues. Items not collected within a reasonable time may be disposed.

Summary of Items for Salvage

Building Component/Fabric	Significant Heritage Fabric	Salvageable Items/Elements
Timber cladding c1925	Yes	No
Timber framing c1925	Yes	No
Roofing iron 1993	No	No
Flooring/subfloor unknown	No	No
Aluminium Windows	No	No
Timber Windows c1925	Yes	No
Double sliding doors (western)	Yes	Yes
Double timber doors (eastern)	Yes	Yes
Timber landing (eastern)	No	No
Mezzanine	No	No
Gantry	No	No
Timbers of piers and jetties	No	No
Remnant c1930 jetty	No	No
Marina Signage/Aerials	No	Yes
Slipway rails	No	No
Motor room/motors	No	No

Recommendation 5 – Interpretation

Heritage interpretation is a means of sharing Australian history and culture with others comprising local communities, new arrivals, tourists, and school students (the new generation) among others.

To mitigate the loss of the Empire Bay Boat Shed, a landmark building along the Empire Bay foreshore, consideration should be given to the installation of an appropriate marker as an interpretation station which provides images and text to communicate an accurate history of the site as that of the Davis family private boat shed with association to the 20th century Davis and Settree foreshore store.

While Crown Land has not endorsed or committed to a future interpretation strategy, the heritage assessment process has identified that there is potential for an interpretation trail along the foreshore reserve to revive the historical origins of Empire Bay, including the public wharf which dates to c1911, the former accommodation and guest houses (Empire House), the swimming baths, the site of construction of the MV Erina II to cite some examples. This could take the form of an audio trail or make use of geo tourist apps using QR codes for additional information or audio story telling, now readily available and freely accessible.

As demolition is proposed over two stages, the piers beneath the boat shed will be retained in the short term. However, it is understood that it is likely that environmental remediation would require the removal of the piers during stage two works. At that stage, should the existing piers be removed, consultation with the relevant authorities would determine whether new piers might be installed as markers of the boat shed's footprint, or whether a

series of new piers installed as markers along the high-water mark, integrated with the new retaining wall, might be an acceptable form of marker for interpretation.

Heritage NSW provides guidelines for heritage interpretation⁴⁶ that should be referenced in the formulation of an interpretation strategy. Interpretation strategies and their implementation are routinely carried out under a separate brief following conclusion of project works. As such the preparation of a detailed interpretation strategy is beyond the scope of the current assessment, it should be addressed as a separate project.. The interpretation guidelines stipulate that *interpretation is an integral part of the experience of significant heritage items. Its particulars are determined by the nature and circumstances of the item.*

The entity/authority responsibility for interpretation, and for the ongoing maintenance of any interpretation installation should be established at the conclusion of demolition and remediation works, and responsibility for its carriage should fall to the appropriate land manager. Interpretation might include aspects of community driven ideas and projects, e.g. a community art project managed by the responsible entity or local artists network.

⁴⁶ Interpreting Heritage Places and Items Guidelines <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/interpreting-heritage-places-and-items-guidelines.pdf>

5. References

Central Coast Local Environmental Plan, 2022.

Dundon G., 1997. *The Shipbuilders of Brisbane Water NSW*. Self pub.

Kass, Dr T., 2019. *Unlocking Land: A Guide to Crown Land Records held at State Archives NSW*. Self Pub.

National Library of Australia – Trove: <https://trove.nla.gov.au>

Heritage NSW, *NSW Heritage Manual*, particularly:

- Archaeological Assessments;
- Historical Archaeological Sites;
- Heritage Assessment Guidelines;
- Assessing Heritage Significance;
- Heritage Curtilages;
- Regional Histories; and
- Guidelines for Photographic Recording of Heritage Items.
- Heritage Office and Department of Planning, (NSW), Sydney.

State Heritage Inventory.

<https://www.environment.nsw.gov.au/topics/heritage/search-heritage-databases/state-heritage-inventory>

Strom B., 1982. *Gosford/Wyong History and Heritage*. Gosford District Historical Research and Heritage Association.



Appendix 1

Record of Community Consultation

-

Record of Community Consultation

During research for this study, Eureka Heritage extended an open invitation to members of the Empire Bay community, and reached out to local historians, along with sourcing local history information through the local studies section of the Central Coast Library. The following provides a record of consultation which, for the most part, was carried out by telephone or email.

Two community groups have been active and reactive on the proposed demolition of the Empire Bay Boat Shed; the Empire Bay Progress Association and the Empire Bay Heritage Boat Shed Association. Consultation has occurred with members of both groups presented below in no particular order.

Chris Argæt – community member (Empire Bay Progress Association) – wished to discuss a proposed shelter shed at the Public Wharf, and provided concept drawings.

Errol Baker - community member (Empire Bay Heritage Boat Shed Association) - site meeting and a number of telephone communications to discuss a proposed business plan, including the use of the reconstructed boat shed as a museum.

Eureka has several years of experience within the museum sector and went to some lengths to explain, among the many issues and challenges for community run museums, was that the location of the boat shed, the marine environment, issues of security and temperature control, made the location unsuitable to house museum items.

Craig Hillman – community member, foreshore resident (Empire Bay Heritage Boat Shed Association) - consulted on site with Errol Baker.

Peter Rea, Tour Guide and advocate for the preservation of the history of ship building on Brisbane Water. Peter very kindly provided Gwen Dundon's contact details.


Gwen Dundon, Historian/Local Legend. Email discussions with invaluable images and resources, otherwise not accessible, provided to Eureka. Gwen had not been able to date the construction of the boat shed through the available resources and had not been able to access Crown Land archive material.

Dr Terry Kass, Historian who specialises in land title history, provided background and reference material on Crown tenure.

Robert Thompson – community member. Provided historical research and images via email and a copy of historical land title research by Stephen Ford that was commissioned at his own expense. Stephen has provided permission to reference his work.

Brian Collis, community member. Provided historical imagery and further contacts.

Carolyn Barripp – community member (Former President of Empire Bay Progress Association). Initial contact regarding historical information. Although Carolyn couldn't supply additional resources to that already at hand, Carolyn supplied other members with Eureka's contact details.



Appendix 2
State Heritage Inventory Sheets

Item Details

Name

Boat shed

SHR/LEP/S170

Boat shed

Address

16B Sorrento Road EMPIRE BAY NSW 2257

Local Govt Area

Central Coast

Local Aboriginal Land Council

Unknown

Item Type

Built

Group/Collection

Transport - Water

Category

Boat shed

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
16B	Sorrento Road	EMPIRE BAY/NSW/2257	Central Coast	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

The Empire Bay Boatshed, off Sorrento Road, on the foreshore of Empire Bay has historic and social significance as an important element in a precinct of early buildings on the foreshore of Empire Bay associated with the development of the area. Adjoining a public reserve fronting a residential strip, the boatshed is an important feature of the landscape.

Criteria a)**Historical Significance**

The Boatshed marks the early development of boat maintenance and repair associated with the need for boat and ferry access around the settlements fronting Brisbane Water. The sheds and workshops included a range of skills from boat carpentry and joinery to engine servicing and mooring maintenance.

Criteria c)

Aesthetic/Technical Significance

The simple vernacular structure and associated jetty and moorings retains the character of a shed and workshop and after successive adaptations remains to provide comparable services required today

Criteria f)

Rarity

Commercial facilities are increasingly rare on the waterfront due to the complexities of leasing and regulations making this facility rare at the local level.

Integrity/Intactness

Good/Good

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

Small scale, single storey timber framed marina on timber piles, adjoining public foreshore of Empire Bay. Part of foreshore precinct associated with residential buildings along foreshore strip. Gabled roof with corrugated acrylic skylights. Eaves overhang gable ends with no barge boards or gutters. Skillion roof over small wing addition abutting front gable end. Timber weatherboard cladding. Timber framed windows with double hung and hopper sashes. Timber panelled, double leaf front door. Opening in top of gable end. Gantry at rear.

Physical Condition

Updated 01/12/2014

The building appears generally sound.

Modifications And Dates

Intact and generally in good condition despite elements requiring basic maintenance and painting.

Further Comments

Current Use

Former Use

Listings

Listings

						Records Retrieved: 1
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page	
Local Environmental Plan	Gosford Local Environmental Plan 2014	15	2/11/2014 12:00:00 AM			

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

Empire Bay was originally known as Sorrento as this was the name of a very large holiday boarding house on Brisbane Water. "Sorrento" was the name given to the waterfront subdivision of Empire Bay created in 1905. Arthur Rickard was an inventive developer and real estate salesman who subdivided the 152 acres into waterfront residential lots, poultry farms and orchards.

William Huggart, brother of Gosford's Methodist minister, Theo Huggart bought 5 and a quarter hectares of the Sorrento estate on which he built "Sorrento House". William built this as a summer residence and boarding house which he and his wife managed together. The name was altered to Empire Bay in 1908 after a Post Office - Receiving, was opened in a building attached to the Sorrento boarding house. The name Sorrento was already in use in Victoria and therefore the Post Office required an alternative.. William Huggart, the then owner of the Sorrento, was the first registered Postmaster. The Post Office was relocated to the General Store operated by C. C. Swinburne after he took on the role of Postmaster. Charles and Eden May Swinbourne were later to conduct a boarding house here. Swinbourne also built the Empire General Store and operated the post office. Both the Huggart and Swinbournes were prime promoters and supporters of Empire Bay and the local community.

The Davis and Settree families are important families in the history of the area. The site is a good example of early "corner shop" in a waterfront" location. The shop predates residence.

Lot B is part of the former Lot19 DP4707, purchased by Arthur Davis of Bensville in 1921. In 1928, Arthur Davis subdivided Lot 19 into two lots (A and B). He kept Lot A and lived there, opposite the Empire Bay Boatshed, which he had built. He transferred Lot B to Harry Davis and Olive Settree, his son and daughter, who operated the Davis/Settree Store thereon. The boatshed contributes to a precinct of early buildings on the waterfront of Empire Bay.

Historic Themes

Records Retrieved: 4

National Theme	State Theme	Local Theme
8. Culture	Leisure	Boatshed
3. Economy	Industry	ship building
Developing cultural institutions and ways of life	Pastoralism	Boatshed
Developing local, regional and national economies	Leisure	ship building

Recommended Management

Management Summary

Recommend for retention on the Gosford City Council LEP. Consideration should be given for requirement of an Assessment of Heritage Impact prior to any proposals for alterations or additions which may adversely impact on the significance of the boatshed, its curtilage and landscape value. The form, scale and character of the boatshed should be retained together with its curtilage and landscape value.

Management

Records Retrieved: 7

Management Category	Management Name	Date Updated
Recommended Management	Carry out interpretation, promotion and/or education	
Recommended Management	Prepare a maintenance schedule or guidelines	
Recommended Management	Consult with owner and/or community	
Statutory Instrument	List on a Local Environmental Plan (LEP)	
Statutory Instrument	List on a Local Environmental Plan (LEP)	
Recommended Management	Prepare a maintenance schedule or guidelines	
Recommended Management	Consult with owner and/or community	

Report/Study

Heritage Studies

Records Retrieved: 2

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Gosford Community Based Heritage Study			2013		David Scobie Architects Pty Ltd
Gosford Heritage Study			1999		Graeme Brookes

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Central Coast Council	1620199

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Item Details

Name

Scandrett's boat shed and wharf

SHR/LEP/S170

Scandrett's boat shed and wharf

Address

End of Mireen Avenue, adjacen to Illoura Reserve DAVISTOWN NSW 2251

Local Govt Area

Central Coast

Local Aboriginal Land Council

Unknown

Item Type

Complex / Group

Group/Collection

Maritime Industry

Category

Other - Maritime Industry

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
End of Mireen Avenue,	adjacen to Illoura Reserve	DAVISTOWN/NSW/2251	Central Coast	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

Scandrett's Boatshed, wharf and slipway on the foreshore of Illoura Reserve, Davistown has historic and social significance as a very early access point to Gosford district, associated with the early development and industry of the Gosford township, and early transport systems to the region. Although none of the original 1880 structure remains, this does not diminish the site's significance due to its continued use as a wharf site and as a landscape feature of the area.

Criteria a)

Historical Significance

The curtilage of the site, as well as the present shed and wharf, are historically significant as a typical private boat storage and launching facility on Brisbane Water. The Scandrett Boatshed and wharf record a period in the development of Davistown and the greater Brisbane Water area, when boat transport was vital to business and the community.

Criteria c)

Aesthetic/Technical Significance

The building, wharf and setting are an excellent intact example of an Inter war era boatshed facility, retaining the key distinctive features from the original design and remain capable of full interpretation.

Criteria e)

Research Potential

The good condition of the structures indicate that they would be useful as explanations for early forms of such use and construction.

Criteria f)

Rarity

Combined boatshed, wharf, slipway and setting are very rare on Brisbane Water

Integrity/Intactness

Good/Good

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

The boatshed is a timber framed structure with a gable ended galvanised iron roof and fibro cladding. The wharf is atypical timber piled structure erected adjoining the shed to permit direct access. The remnants of a timber slipway remain in the mudflat with the timber piles remaining to illustrate the run down from the sliding doors in the main elevation.

Physical Condition

Updated 03/21/2016

The building, and wharf appear to be in a very good condition. The building does not appear to be used for boat storage.

Modifications And Dates

Further Comments

Current Use

Former Use

Listings

Listings

						Records Retrieved: 1
Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page	
Local Environmental Plan	Gosford Local Environmental Plan 2014	217	2/11/2014 12:00:00 AM			

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

Davistown was named for the concentration of Davis family members living in this part of Cockle Creek. In 1851 the shipwright Benjamin Davis purchased the former James Marks property Burracun. Ben (for whom Bensville was later named) subsequently sold portions of his land to his shipwright brothers Thomas, Rock and Edward. The area came to be populated with the Davis's and their families, hence the name Davistown. Between 1869 and 1879, Ben Davis built an estimated 34 vessels at Davistown, and a further 15 at Bensville. Rock Davis built 8 vessels here between 1854 and 1862, and later moved to Blackwall (near Woy Woy), where he built at least 160 vessels between 1863 and 1904. Another local shipbuilder Alfred W.R.M. Settree built 7 vessels at Davistown, including Day Dawn, Edith Keep and Dewdrop, between 1869 and 1879. Giles Jenkins built 10 vessels, mostly ketches, at Davistown between 1876 and 1889.

Before the opening of the Rip Bridge in 1974, the many small communities around Brisbane Water relied heavily on small ferries to get them to Woy Woy and Gosford. Ferries were used for many purposes before reliable road transport. Crews and passengers relayed social news around Brisbane Water. Bodies of deceased persons were taken to Gosford for burial. Daily newspapers, mail deliveries and produce were regular cargoes. The ferries of the district would take shoppers to Market day at Gosford every Thursday. Locally, ferries would stop at picturesque locations such as Veteran Hall, Lintern Street, Yow Yow, Myler's Davidson's Moore's, Pine Tree, Empire Bay, Sunnyside, Eulalie, Kincumber South and Kincumber Creek.

Pioneer Ferry Service: In 1905 the Pioneer Ferry Service, operated by the Sisters of Saint Joseph, commenced operations for Kincumber Orphanage patrons and visitors. This was the beginning of regular ferry services on Brisbane Water. Ferries such as the San Jose, Southern Cross, and Stella Maris were well known and loved by holidaymakers and locals. While Davistown had its beginnings in the serious business of shipbuilding, by the 1920s it had become a very popular holiday resort. Davistown had much to offer, with regular ferry transport to and from Woy Woy railway station, several well-appointed boarding houses, furnished cottages, boating, fishing and bathing facilities.

Historic Themes

Records Retrieved: 6

National Theme	State Theme	Local Theme
4. Settlement	Utilities	wharf
4. Settlement	Utilities	Transport facility
3. Economy	Transport	Boatshed
Building settlements, towns and cities	Unknown	wharf
Building settlements, towns and cities	Unknown	Transport facility
Developing local, regional and national economies	Aboriginal pre-contact	Boatshed

Recommended Management

Management Summary

Recommend for inclusion in the Gosford City Council LEP. Heritage report required prior to any proposals for alterations and additions to the building which may alter or reduce the significance. The form, scale and character of the building should be maintained. The condition and character of the reserve as the setting in the vicinity of the shed and wharf should be retained.

Management

Records Retrieved: 5

Management Category	Management Name	Date Updated
Recommended Management	Carry out interpretation, promotion and/or education	
Recommended Management	Consult with owner and/or community	
Statutory Instrument	List on a Local Environmental Plan (LEP)	
Statutory Instrument	List on a Local Environmental Plan (LEP)	
Recommended Management	Consult with owner and/or community	

Report/Study

Heritage Studies

Records Retrieved: 0

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
No Results Found					

Reference & Internet Links

References

Records Retrieved: 0

Type	Author	Year	Title	Link
No Results Found				

Data Source

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Data Source	Record Owner	Heritage Item ID
Local Government	Central Coast Council	1620422

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Item Details

Name

Boat shed

SHR/LEP/S170

LEP #3112

Address

62 Matson Crescent MIRANDA NSW 2228

Local Govt Area

Sutherland

Local Aboriginal Land Council

Unknown

Item Type

Complex / Group

Group/Collection

Residential buildings (private)

Category

Cottage

All Addresses

Addresses

Records Retrieved: 1

Street No	Street Name	Suburb/Town/Postcode	Local Govt. Area	LALC	Parish	County	Electorate	Address Type
62	Matson Crescent	MIRANDA/NSW/2228	Sutherland	Unknown			Unknown	Primary Address

Significance

Statement Of Significance

The structure evidences permissive occupancy of crown land since early Twentieth Century. Evidences settlement following the subdivision and sale of the Matson City Subdivision - 1916/1919. The group evokes the early character of the waterfront. The building is a good example of the boathouse typology. The building is an altered example of early Twentieth Century construction. The waterfront buildings at 42-62 Matson Crescent have group value.

Criteria a)**Historical Significance**

The structure evidences permissive occupancy of crown land since early Twentieth Century. Evidences settlement following the subdivision and sale of the Matson City Subdivision - 1916/1919.

Criteria c)**Aesthetic/Technical Significance**

The group evokes the early character of the waterfront.
The building is a good example of the boathouse typology.
The waterfront buildings at 42-62 Matson Crescent have group value.

Criteria f)**Rarity**

The building is an altered example of early Twentieth Century construction.
The waterfront buildings at 42-62 Matson Crescent have group value.

Integrity/Intactness

Medium. The building is substantially intact.

Owners

Records Retrieved: 0

Organisation	Stakeholder Category	Date Ownership Updated
No Results Found		

Description

Designer

Builder/Maker

Physical Description

Updated

A single storey freestanding boatshed that dates from the Interwar period within an estuarine setting that has retained its historic context. The building is built on sandstone piers, below Mean High Water Mark. The site has a timber ramp. The site features mature trees and indigenous vegetation. The façade presents a simple symmetrical elevation and is clad in fibro. The roof is gabled with a medium pitch. The roof is clad in corrugated sheet metal and features fibro gable and cladding. A verandah runs across the façade and features timber posts and brackets. The door is aluminium sliding. Fenestration comprises vertically proportioned timber windows. The interior was not inspected.

Physical Condition

Updated

The building appears to be in good condition.

Modifications And Dates

Further Comments

Current Use

Former Use

Listings

Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan	Sutherland Shire Local Environmental Plan 2015	3112	6/23/2015 12:00:00 AM		

Procedures/Exemptions

Records Retrieved: 0

Section of Act	Description	Title	Comments	Action Date	Outcome
No Results Found					

History

Historical Notes or Provenance

Updated

In 1889 the peninsula, west of Yowie Bay, was subdivided for leasing into the 'Village of Weeroona. In the early years of the century this was a busy location. Matson's Pleasure Grounds were operating on the head of the bay (north) and the lessees of the water front lots between Forest and Wonga Roads ran boatsheds and a hotel. Anecdotal evidence indicates that one lessee Edwin Spackman, a director of Austral Brick Co. built a weekender and a boatshed in 1911 at the end of Attunga Road, then a dirt track. This account also indicates that this land was subdivided in 1946.

(Extracted from: Pauline Curby, Sutherland Shire Foreshore Study Thematic History, 1998)

Land round the head of Yowie Bay was surveyed in 1912 and subdivided over the next few years. The land on the western side of the head of the Bay was subdivided by A. Toyer, probably at about the same time Airlie, said to be the 'homestead of the Bayview Estate', was built in 1928. Toyer designed this residence which is reputed to be the 'first home in Australia constructed with precast concrete blocks'. This building is not marked on the subdivision plans.

(Extracted from: Pauline Curby, Sutherland Shire Foreshore Study Thematic History, 1998)

There was a doctor in residence and a lessee, described as a 'gentleman', who gave his address as 'care of Allen, Allen and Hemsley', but the remainder of the lessees were successful tradesmen. Alfred Wunderlich, for example, a member of the well-known family of tile-importers and pressed metal ceiling makers, was on the eastern side of Yowie Bay. The brick-making Judd family had several blocks towards the head of the Bay on the western side.

(Extracted from: Pauline Curby, Sutherland Shire Foreshore Study Thematic History, 1998)

Part of 232.2.0 acres granted to Thomas Holt, Portion 40, subdivided into large lots in 1912. The subject sites lie on Lot 61, a 10 acre allotment, of this subdivision. The site was subsequently subdivided into residential blocks as part of the Matson City Subdivision offered for auction sale in 1916 and again in 1919. The subdivision plan shows existing structures at 28 Matson Crescent, Miranda. By the 1919 sale, No's 42 - 46 and 50 were noted as sold. The 1930 aerial photograph shows waterfront development at 40, 42, 46, 48, 50, 54, 56, 60, 62 and 64 Matson Crescent. No. 64 was built before 1942. The boathouse at No. 64 disappeared after 1994, and No. 66 after 1961. The cottage at No. 44 was constructed between 1930 and 1942. A boathouse at No. 48 was demolished after 1970, when the dwelling was built.

No. 62 - Dwelling built c.1980. Boathouse proposed for demolition and then conversion to boatshed.

Historic Themes

Records Retrieved: 9

National Theme	State Theme	Local Theme
8. Culture	Domestic life	Early Twentieth Century occupation of the river
4. Settlement	Land tenure	Subdivision of Estates
4. Settlement	Land tenure	Reclamation and Permissive Occupancy of Crown Land
8. Culture	Environment	Early Twentieth Century occupation of the river
8. Culture	Environment	Early Twentieth Century occupation of the river
4. Settlement	Mining	Subdivision of Estates
4. Settlement	Mining	Subdivision of Estates
4. Settlement	Mining	Reclamation and Permissive Occupancy of Crown Land
4. Settlement	Mining	Reclamation and Permissive Occupancy of Crown Land

Recommended Management

Management Summary

The group is above the threshold for inclusion in the Heritage Schedules of the LEP.
Replacement of sliding doors desirable.

Management

Records Retrieved: 0

Management Category	Management Name	Date Updated
No Results Found		

Report/Study

Heritage Studies

Records Retrieved: 2

Report/Study Name	Report/Study Code	Report/Study Type	Report/Study Year	Organisation	Author
Sutherland Shire Foreshore Heritage Study Review			2010		Architectural Projects Pty Ltd - Jennifer Hill - Elizabeth Gibson
Sutherland Shire Foreshore Heritage Study Review			2010		Architectural Projects Pty Ltd - Jennifer Hill - Elizabeth Gibson

Reference & Internet Links

References

Records Retrieved: 4

Type	Author	Year	Title	Link
Written	Paul Davis	1997	Sutherland Foreshore Heritage Study	
Written	Paul Davis	1997	Sutherland Foreshore Heritage Study	
Photograph	Sutherland Shire Council Lands Information Unit		Aerial Photographs 1930, 1942-23, 1955, 1970, 1978, 1984, 1994, 2001, 2006	
Photograph	Sutherland Shire Council Lands Information Unit		Aerial Photographs 1930, 1942-23, 1955, 1970, 1978, 1984, 1994, 2001, 2006	

Data Source

The information for this entry comes from the following source:

Data Source	Record Owner	Heritage Item ID
Local Government	Sutherland Shire Council	2440585

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