

# BEARS CASTLE



H01420 1 bears castle6  
feb2003



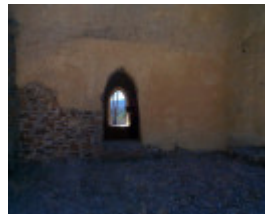
H01420 bears castle yan  
yeau reserve cades lane side  
view dec1984



H01420 bears castle detail  
feb2003



H01420 bears castle feb2003



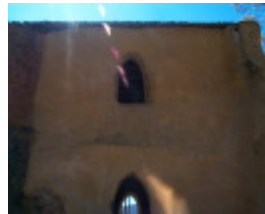
H01420 bears castle  
opening2 feb2003



H01420 bears castle2  
feb2003



H01420 bears castle4  
feb2003



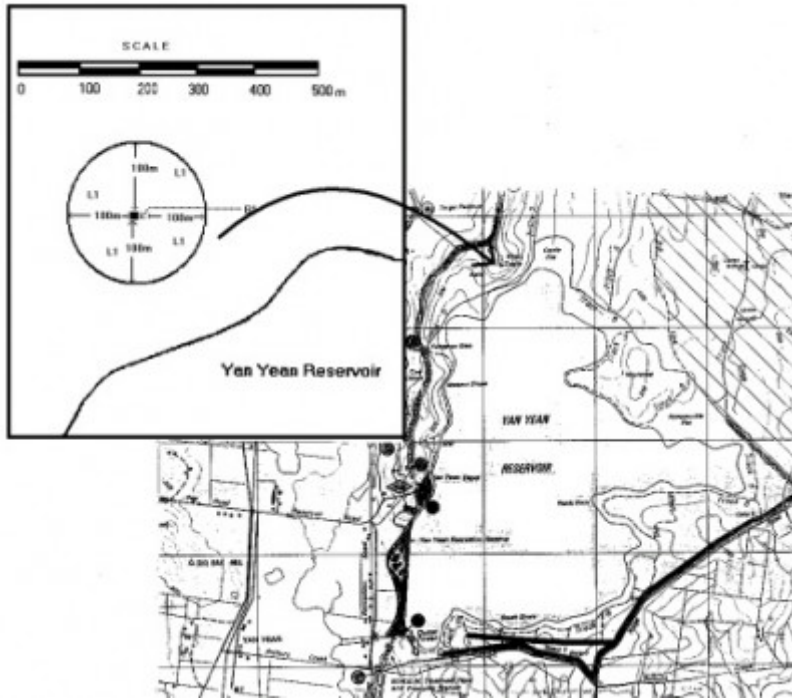
H01420 bears castle5  
feb2003



H01420 bears castle3  
feb2003



Bears Castle Doorway  
February 2003



bears castle yan yean reserve cades lane plan



bears castle yan yean reserve cades lane plan2

**Location**

YAN YEAN WATER SUPPLY CATCHMENT RESERVE, CADES LANE YAN YEAN, WHITTLESEA CITY

## **Municipality**

WHITTLESEA CITY

## **Level of significance**

Registered

## **Victorian Heritage Register (VHR) Number**

H1420

## **Heritage Overlay Numbers**

HO43

## **VHR Registration**

October 9, 1974

## **Amendment to Registration**

February 12, 1998

## **Heritage Listing**

Victorian Heritage Register

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## **Statement of Significance**

Last updated on - May 19, 1999

What is significant?

Bear's Castle was constructed in Yan Yean circa 1846 probably by two men, Hannaford and Edwards, who had recently arrived separately from Devon, England. It was built for John Bear an early pastoralist who had migrated from England with his family in 1841. Bear's Lookout (or Bear's Folly as it is also known), is a small, two storey structure roughly square in plan and occupying an area of less than 12 square metres. It is built of mud/clay - a common primitive building material apparently used extensively in the Whittlesea area and utilises a technique known as cob, popular in the builders' home town of Devon. Cob is a walling construction method using clay, straw, gravel and sand. The building was constructed to resemble a castle the result, it would seem, of a cursory remark by John Bear with a pyramid shaped roof and turrets at each corner - one with a stair and another in brick and stone with a chimney. Despite its name, it would appear that the building was never used as a retreat from danger although it might well have been used as a lookout for the monitoring of livestock or forest fires.

How is it significant?

The building is of, architectural, historical and archaeological importance to the State of Victoria.

Why is it significant?

Bear's Castle is architecturally significant as a rare and outstanding example of a cob constructed building, further enhanced by its form and size, and is believed to be the only cob building remaining in Victoria. The building form is believed to be unique in Victoria not only because it is, arguably, Victoria's only example of a castle-keep, but also because of its aesthetic pointed arched openings built around forked tree branches.

Bear's Castle is historically significant because of its early, pre- gold rush construction date and its association with notable pioneering pastoralists, the Bear family. The Bears were responsible for establishing one of Victoria's earliest wineries (at Yan Yean) and are associated with Chateau Tahbilk, reputedly Victoria's oldest extant winery. As manager of John Bear's estate, John Duffy and his family occupied the building briefly from 1865 and this would appear to be the most significant use to which the building has been put. It is an excellent example of the importation of a building technique (cob construction) from another country through the direct migration of skills and the adaptation of that technique to the local environment. Bear's Castle is one of the oldest buildings in the Whittlesea Shire.

Bear's Castle is of archaeological significance due to its potential to yield evidence of its occupation by the Duffy family from 1865. It could also contain evidence of attachment points of building members which could further explain the building's construction and finishes.

## Permit Exemptions

### General Exemptions:

General exemptions apply to all places and objects included in the Victorian Heritage Register (VHR). General exemptions have been designed to allow everyday activities, maintenance and changes to your property, which don't harm its cultural heritage significance, to proceed without the need to obtain approvals under the Heritage Act 2017.

Places of worship: In some circumstances, you can alter a place of worship to accommodate religious practices without a permit, but you must **notify** the Executive Director of Heritage Victoria before you start the works or activities at least 20 business days before the works or activities are to commence.

Subdivision/consolidation: Permit exemptions exist for some subdivisions and consolidations. If the subdivision or consolidation is in accordance with a planning permit granted under Part 4 of the *Planning and Environment Act 1987* and the application for the planning permit was referred to the Executive Director of Heritage Victoria as a determining referral authority, a permit is not required.

Specific exemptions may also apply to your registered place or object. If applicable, these are listed below. Specific exemptions are tailored to the conservation and management needs of an individual registered place or object and set out works and activities that are exempt from the requirements of a permit. Specific exemptions prevail if they conflict with general exemptions.

Find out more about heritage permit exemptions [here](#).

### Specific Exemptions:

#### EXEMPTIONS FROM PERMITS:

(Classes of works or activities which may be undertaken without a permit under Part 4 of the Heritage Act 1995)

#### General Conditions:

All alterations are to be planned and carried out in a manner which prevents damage to the fabric of the registered place or object.

Should it become apparent during further inspection or the carrying out of alterations that original or previously hidden or inaccessible details of the place or object are revealed which relate to the significance of the place or object, then the exemption covering such alteration shall cease and the Executive Director shall be notified as soon as possible.

If there is a conservation policy and plan approved by the Executive Director,

all works shall be in accordance with it.

Nothing in this declaration prevents the Executive Director from amending or rescinding all or any of the permit exemptions.

Nothing in this declaration exempts owners or their agents from the responsibility to seek relevant planning or building permits from the responsible authority where applicable.

#### Exemption: Land

Maintenance to roads and tracks, and to fencing, gates, and any other forms of access and enclosure necessary for the continuation of activities in the park provided that the works do not adversely affect the registered building and/or land.

Clearing works necessary for fire safety management provided that the works do not adversely affect the registered building and/or land.

|                         |                   |
|-------------------------|-------------------|
| Construction dates      | 1848,             |
| Heritage Act Categories | Registered place, |
| Other Names             | BEAR'S CASTLE,    |
| Hermes Number           | 1248              |
| Property Number         |                   |

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## History

### Contextual History:History of Place:

Bear's Castle was constructed in Yan Yean circa 1846 probably by two men, Hannaford and Edwards, who had recently arrived separately from Devon, England. It was built for John Bear an early pastoralist who had migrated from England with his family in 1841. They were responsible for establishing one of Victoria's earliest wineries (at Yan Yean) and are associated with Chateau Tahbilk, reputedly Victoria's oldest extant winery.

Bear's Lookout (or Bear's Folly as it is also known), is a small, two storey structure roughly square in plan and occupying an area of less than 12 square metres. It is built of mud/clay-a common primitive building material apparently used extensively in the Whittlesea area- and utilising a technique popular in the builders' home town of Devon, known as cob construction. It was built to resemble a castle- the result it would seem of a cursory remark by John Bear- with a pyramid shaped roof and turrets at each corner (one with a stair and another in brick and stone with a chimney). Despite its name, it would appear that the building was never used as a retreat from danger although it might well have been used as a lookout for the monitoring of livestock or forest fires. A manager of John Bear's estate John Duffy, and his family occupied it briefly from 1865.

At least three distinct periods can be discerned in the building. During the first from 1846 to the turn of the century the building retained a brick superstructure complete with battlements of brick parapet walls and at least one castellated tower. These were removed

### COMPARISON:

There were apparently numerous mud houses at Yan Yean in the early days. Experimentation with cob, pise and mudbrick structures occurred throughout Victoria where soils were suitable. Very few structures still stand.

Examples from the nineteenth century can be seen at Donald, on the Ararat/Bendigo highway, and at Ballarat. Many mud buildings were simple small structures later replaced by substantial timber or brick dwellings and allowed to degrade leaving little or no trace of their existence. This building group is even more severely effected by lack of maintenance than timber buildings.

Bear's Castle is the only known example of the combination of castle building type and cob construction in Victoria.

the turn of the century and, during the second period, the building stood without any major changes (save for a recladding of the roof for a short time in thatch) until the 1970s when the walls of the building were clad in a yellow render of mud and chicken wire. This work ensured the protection of the clay walls but significantly altered the presentation of the building.

## **Extent of Registration**

### NOTICE OF REGISTRATION

As Executive Director for the purpose of the Heritage Act, I give notice under Section 46 that the Victorian Heritage Register is amended in that the Heritage Register Number 1420 is now described in the category as a Heritage Place:

Bear's Castle, Cades Lane, Plenty Catchment Park, Yan Yean, Whittlesea City Council.

### EXTENT

1. All the building marked B-1 on Diagram 602933 held by the Executive Director.
2. All the land marked L-1 on Diagram 602933 held by the Executive Director, being part of the land described in Certificate of Title Volume 2239, Folio 800, part of Crown Portion 20, Parish of Yan Yean.

Dated 5 February 1998

RAY TONKIN

Executive Director

[Victoria Government Gazette No. G6 12 February 1998 p.352]

*This place/object may be included in the Victorian Heritage Register pursuant to the Heritage Act 2017. Check the Victorian Heritage Database, selecting 'Heritage Victoria' as the place source.*

*For further details about Heritage Overlay places, contact the relevant local council or go to Planning Schemes Online <http://planningschemes.dpcd.vic.gov.au/>*