



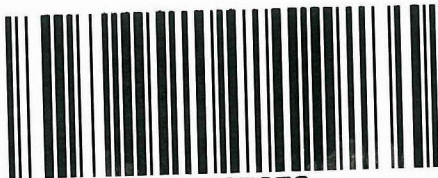
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Department of Planning  
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Scanning Room

Dear Mr Woodland

**TEMPE HOUSE SURROUNDS, ARNCLIFFE – SITE KNOWN AS DISCOVERY POINT  
– 1 PRINCES HIGHWAY, WOLLI CREEK – ENVIRONMENTAL ASSESSMENT FOR  
STAGE 1 – PROPOSED MIXED USE RESIDENTIAL DEVELOPMENT – MP 10\_0030**

I refer to your letter dated 12 July 2011 received by the Heritage Branch of the Office of Environment and Heritage on 29 July 2011 requesting comments on the Environmental Assessment for the above proposal at Discovery Point on land formerly part of the Tempe House estate. The following comments are accordingly provided.

Further to the Concept Plan approval, I note that this application seeks approval for construction of Buildings 1B and 1C, associated landscaping, car parking, infrastructure works and new roads, plus temporary infrastructure works and car park on sites of Buildings 3 and 5. The two new buildings are approximately 14 and 3 storeys respectively over basement parking level/s.

I note that the application states that the proposal is consistent with building envelopes for Buildings 1B and 1C, dwelling sizes and Statement of Commitments for the approved concept plan, as well as the Development Design Guidelines updated by JBA to reflect the conditions attached to the Concept Plan's approval of June 2011.

The exhibited documentation for this proposal has been reviewed under the Heritage Act 1977 considerations for the adjacent heritage item and potential archaeology with particular reference to the following reports:

- Statement of Heritage Impact prepared by Tanner Architects, dated February 2011
- Statement of Heritage Impact, Non-Indigenous Archaeological Remains, prepared by Casey & Lowe Pty Ltd, dated January 2011

**Issue 1: Tempe House and Magdalene's Chapel – State Heritage Register item**

This heritage item is listed on the State Heritage Register under the Heritage Act 1977.



Tempe House and its grounds is of exceptional historical significance as a remarkably intact 1830s villa designed by John Verge and for its largely unaltered landscape setting of this period. The subject development site is located within the original gardens of this 1830s estate, however is located outside the reduced state listing curtilage for Tempe House.

As the proposed permanent works are consistent with the previously approved concept plan for new building envelopes and these works do not extend into the curtilage for the State Heritage Register listing, the recommendations of the above assessments for new buildings and landscaping are accepted, provided significant archaeology is managed appropriately, as set out below.

## **Issue 2: Archaeology of local or state heritage significance**

The potential for the works to impact on archaeology of the former Tempe House Estate grounds is the other key consideration under the Heritage Act. I note that the 2011 assessment by Casey & Lowe identifies potential relics in the location of the proposed development including: remains of 1840s buildings described as the "Gardener's Cottage" and "Pine House" and other 1840s features such as the walling and "Vine Trellis Walk" from the original extensive gardens of Tempe House designed and planted by its owner. The garden is identified as a rare example of a mid-nineteenth century planned estate.

I note that the this 2011 Casey & Lowe assessment concludes these relics have local heritage significance, despite their direct connection to Tempe House and the referenced 2002 assessment that states relics have a *"moderate to high level of research potential."* This assessment of high significance now equates to a State level of significance by current assessment standards. The basis given for the local level of significance is because of the low likelihood of remains. Specifically I note that the 2011 assessments states these remains:

*"may have been impacted by the remediation of the areas or other modern impacts. If timber buildings, their remains may also be fairly ephemeral and be restricted to postholes and artefact deposits rather than structural remains such as brick footings. The remains of the wharf are unlikely to be substantial".*

I note that this 2011 investigation of the potential relics and resulting assessment has not been updated for the current stage of development since the Concept Plan proposal assessment of June 2010. In particular, I note that the low likelihood of relics has not been verified by archaeological testing before submitting this development application to support the report's conclusions about the significance and appropriate management of these potentially state significant relics.

The Archaeological Management Plan (endorsed by the Heritage Council of NSW) recommends more detail in the excavation methodology than quoted in the proposed Statement of Commitments.

Conditions are therefore recommended below to address these issues.



## Recommended conditions

The two proposed Statement of Commitments for managing archaeology are supported as follows:

*The management of the potential archaeological remains of the Gardener's Cottage and Pine House should be in line with the approved Archaeological Management Plan which covered Area 6 (Casey and Lowe 2002). As such, the likely location of these buildings should be determined through triangulation of historic plans and any remains be recorded in detail using archaeological excavation, detailed planning and GIS survey and mapping.*

*Further archaeological investigation is required in the Zone 2 area of the Stage 1 development area. This part of the Precinct has not been investigated previously. Prior to commencement of construction works in this area a test excavation programme should be carried out by a suitably qualified archaeologist to ascertain whether intact archaeological material is present here.*

It is requested that, should the application be approved, the following conditions also be imposed to ensure that all heritage issues are satisfactorily addressed:

1. Before commencement of works, the Applicant shall nominate an excavation director to the satisfaction of the Heritage Branch. Details of the nominated excavation director shall be lodged with the Heritage Branch demonstrating how the director meets the NSW Heritage Council endorsed Excavation Director Criteria and how their work will conform with the methodology outlined in the Heritage Council endorsed Archaeological Management Plan for the site.
2. All construction contractors, subcontractors and personnel are to be inducted and informed by the nominated excavation director prior to commencing work on site as to their obligations and requirements in relation to historical archaeological sites and 'relics' in accordance with guidelines issued by the Heritage Council of NSW.
3. Before construction works commence, all affected historical archaeological 'relics' and/or deposits of local and state significance are to be subject to professional archaeological excavation and recording in accordance with the methodology specified in the Heritage Council endorsed Archaeological Management Plan prepared by Casey & Lowe Associates dated January 2002.
4. Should substantial intact archaeological deposits or features not identified in the Archaeological Assessment and Archaeological Management Plan be discovered, work must cease in the affected area(s) and the Heritage Branch contacted for advice. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.
5. Should any Aboriginal 'objects' be uncovered by the work, excavation or disturbance of the area is to stop immediately and the Environmental Protection and Regulation Group of the Office of Environment and Heritage is to be informed in accordance with Section 89A of the National Parks and Wildlife Act, 1974 (as amended). Aboriginal 'objects' must be managed in accordance with an approved Aboriginal heritage impact permit under Section 90 of the National Parks and Wildlife Act, 1974.



6. Aboriginal archaeological excavation must be co-ordinated with any proposed investigation of non-Indigenous material because intact Aboriginal archaeological deposits will be below any possible historic materials.
7. After any archaeological works have been undertaken, a copy of the final excavation report(s) shall be lodged with the Heritage Council of NSW and Rockdale Council. This final excavation report must include the following information:
  - a) An executive summary of the archaeological programme;
  - b) Due credit to the client paying for the excavation, on the title page;
  - c) An accurate site location and site plan (with scale and north arrow);
  - d) Historical research, references, and bibliography;
  - e) Detailed information on the excavation including the aim, the context for the excavation, procedures, treatment of artefacts (cleaning, conserving, sorting, cataloguing, labelling, scale photographs and/or drawings) and analysis of the information retrieved;
  - f) Nominated repository for the salvaged relics;
  - g) Detailed response to research questions (at minimum those stated in the Heritage Council endorsed Archaeological Management Plan);
  - h) Conclusions from the archaeological programme. These shall revisit the prior assessment of the site, shall specifically indicate how archaeological investigations at this site have contributed to the community's understanding of the site and other comparative site types of mid-nineteenth planned estates and provide recommendations for the future management of the site;
  - i) Details of how this information about the excavations have been publicly disseminated (for example, attach copies of press releases, public brochures and information signs produced to explain the archaeological significance of the sites)
  - j) Any other reporting requirements specified in the Archaeological Management Plan of 2002 prepared by Casey & Lowe Associates.
8. At the completion of archaeological works, the Applicant must ensure that the results of the excavation are interpreted within the completed redevelopment of the site, in a manner appropriate to the type and significance of the relics found as set out in the above excavation report(s). This interpretation should help the public understand the history and significance of the site in accordance with the Heritage Council "Interpreting Heritage Places and Items Guidelines" and the guidelines of the Heritage Council endorsed Archaeological Management Plan. Details of proposed interpretation, appropriate to the type and significance of the relics found, shall be submitted to the Heritage Council of NSW for written approval within three months of the completion of works.

For any enquiries regarding this matter, please contact Claudine Loffi of the Heritage Branch on (02) 9873 8590 or Katrina Stankowski, Archaeologist, on (02) 9873 8569.

Yours sincerely



25/08/2011

**Vincent Sicari**

Manager Conservation Team

Heritage Branch

Office of Environment and Heritage

**As Delegate of the Heritage Council of NSW**