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## **SUSAN MCINTYRE-TAMWOY**

### **HERITAGE CONSULTANT**

David Kettle  
Don Fox Planning  
PO Box 230 Pennant Hills 1715

20<sup>th</sup> September 2006

Dear David

#### **Re the Sandon Point Concept Plan- Response to submission regarding heritage Issues.**

I have reviewed the submissions from the DEC, DoP and the Heritage Office in relation to the heritage issues raised. Several of these are non-Indigenous heritage issues and I was not the consultant employed to assess non indigenous heritage on the various Sandon Point assessments however I am familiar with the studies undertaken.

#### **Aboriginal Heritage**

**Issue: Has there been further research into the alleged Women's site?** This issue was raised by the DoP. This was a matter for investigation in the DoP report (AASC 2006). However no explicit, verifiable evidence resulted from this study except to demonstrate that not only do the sources for this alleged site all indicate different areas (only one of which is largely on Stockland land and the other relating predominantly to ARV land); but also that the only sources who claim that such a site exists are from outside the informant group that could claim primary traditional knowledge of such a site (i.e women who claim traditional descent from the Aboriginal people who owned and occupied Sandon Point). Those that claim that such a site exists are either men, or women from other areas. The only women who claim traditional descent and the right to speak for this area who were asked about the site stated that they knew of no such site.

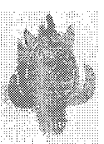
Stockland has not carried out further studies relating to this site and it is not considered likely that further investigation would result in such information.

**Issue: Zone boundaries should align with Col recommendations.** This issue was raised by DEC. The primary concerns in relation to Aboriginal heritage issues are:

1. The possibility of sites occurring and
2. A concern that green corridor exists linking sea and escarpment.

Whether or not the riparian/ protection zones operate as sustainable environmental corridors is dealt with by other specialists.

In relation to the issue of whether Aboriginal sites are protected, it is considered that the areas of highest potential are incorporated within the proposed green corridors as indicated on the Indicative Concept Plan (HLA 6<sup>th</sup> March 2006). Testing and if necessary salvage of areas outside



these corridors but included in areas recommended for precautionary testing (Don Fox Planning 2003: Appendix D) is recommended.

#### **Non Indigenous Heritage.**

**Issue: A Heritage Implementation Plan:** The justification for a Heritage Implementation Plan is unclear and is not supported. The main outstanding heritage tasks are the archaeological testing of the area recommended in Graham Brooks (2003) which is actually on the border of the ARV and Stockland development site and the heritage interpretation which is dealt with below.

The area identified by Brooks should be tested but keeping in mind the possibility of Aboriginal Objects occurring this should be done in conjunction with the Aboriginal excavation program. Should any archaeological material occur likely to relate to the occupation of Woodlands cottage it should be recorded, salvaged and analysed.


**Issue: Heritage Interpretation Plan/address history of Woodlands cottage:** This issue was raised by the Heritage Branch of DoP and relates to non-indigenous heritage. The report by Graham Brooks & Associates concluded that the subject land does not include any item of heritage significance protected under the NSW Heritage Act. This fact is noted on page 2 of the Heritage Office's letter. There are no extant historic structures and little potential for archaeological evidence of occupation associated with Woodlands Cottage, with the possible exception of the rubbish dump identified on the border of ARV and Stockland land (see comment below on further archaeological work). The Heritage Office acknowledges that '*Because Woodlands Cottage was destroyed by fire in the 1920s and subsequent industrial activity has altered the site it is considered that it can no longer provide evidence of the early cottage*'. (Letter from Vincent Sicari Heritage Office to Gordon Kirby DoP dated 3/8/06). As it is therefore unlikely that the proposed development will have any negative impact on any non-indigenous heritage item there is clearly no constraint in this regard.

However interpreting the past history of the area including the Brickworks and Woodlands cottage is consistent with past recommendation in reports prepared for Stockland and adaptation of the existing Interpretation Plan to include Woodlands cottage seems appropriate. As to the request by the Heritage Office that the plan should be submitted to the Heritage Council for approval, this **should not be a condition** as it will effectively build in an additional approval process which is unwarranted given the lack of extant heritage items to be affected. It is sufficient that the work be carried out by a qualified heritage professional and consistent with the guidelines issued by the heritage office (the guidelines are available on the heritage office website).

#### **Issue: HO NSW -disappointed that further archaeological work not undertaken**

Given the likelihood of Aboriginal objects occurring and the need to await the outcomes of the Huys' report which was supposed to include an excavation component, the Heritage Office's disappointment is misplaced as neither ARV nor Stockland could have carried out excavations without public protest before the Huys' report was completed.

Graham Brooks report (Feb 2003) recommends archaeological testing in the vicinity of the scatter of historic material debris which may be associated with Woodlands Cottage. This is actually on the border of the ARV and Stockland land. There are no other potential archaeological deposits relating to European heritage identified on the Stockland development site. The area is also close to or within area recommended for testing/salvage of Aboriginal



artefacts so it would make sense to do this as one excavation exercise or at least if separate consultants are selected by ARV and Stockland, in consultation with each other.

**Issue: Archaeological requirements in letter of April 2006 not addressed.**

I cannot comment as I do not recall seeing this letter. However in relation to the recommendations for two conditions which are provided in the current letter as a substitute to the issues raised in the April letter, I provide the following comments.

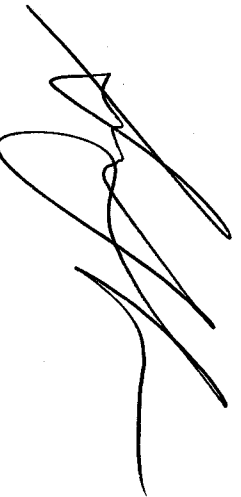
The first condition is entirely appropriate as it is simply responsible practice. All non indigenous archaeological deposits have 'blanket protection' under the Heritage Act of NSW.

The second condition regarding the Interpretation Plan is supported in so far as the first sentence requires a plan to be produced by a suitably qualified person. However approval of the Heritage Council should not be required, as this starts a secondary approval process, which seems unwarranted given the relatively low significance of the heritage items and the fact that they no longer exist. Given this no permits or approvals would normally be required (apart from the excavation of the suspected rubbish pit on the boundary of Stockland and ARV land). It also does not make sense financially or thematically to separate the interpretation of the Indigenous and non-indigenous heritage and therefore this should be approached in an integrated way.

It would be appropriate therefore to replace this condition with: *A Heritage Interpretation Plan should be prepared consistent with the Heritage Interpretation Guidelines published by the NSW Heritage Office, which interprets the Aboriginal heritage of the area and the past history of the Thirroul Brickworks and Woodland Cottage, and.*

I hope these comments are helpful. Please do not hesitate to contact me on 0740 421176 or 0425215012 should you have any questions about any information in this letter.

Yours faithfully



**Dr Susan McIntyre**