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Dear Ms Whitten

COMMENTS ON MACQUARIEDALE ROAD, APPIN PLANNING PROPOSAL

I refer to your letter dated 11 December 2017 regarding the abovementioned planning proposal.

I understand that the planning proposal seeks amendments to the *Wollondilly Local Environmental Plan* (WLEP) 2011 to rezone approximately 62.8 hectares of land at Macquariedale Road, Appin from its mostly 'RU2 Rural Landscape zoning' to part 'E2 Environmental Conservation' and part low (R2 Low Density Residential) and medium density (R3 Medium Density Residential) housing. A small part of the subject site towards Appin Road is currently zoned 'B2 Local Centre' and 'R3 Medium Density Residential'. Furthermore, I note that the proposed amendments to the planning provisions include amendments to land zoning, height of buildings and lot size and would facilitate provision of 215 new houses.

The *Heritage Act 1977* (the Act) provides protection for items on the State Heritage Register (SHR) and historic archaeology separately. A search of our records indicates that the site does not contain any heritage items listed on the SHR. However, it is noted that there is a local heritage item, 'Appin Inn' (61 Appin Road) listed on Schedule 5 Environmental heritage of WLEP 2013. The Appin Inn dates from the early 19th Century and archaeological investigations indicate that the site has the potential to contain archaeological relics of State significance. Our records also indicate that the adjoining land proposed for rezoning is the 'Darcy's House Site,' (51 Appin Road) an archaeological site, also of local heritage significance.

The lot containing Appin Inn is currently zoned B2 Local Centre that permits a range of land uses with consent, including 'tourist and visitor accommodation'. The proposed change to 'R3 Medium Density Residential zoning' will allow variety of residential uses on the site with consent. Based upon the information at hand, we believe that the zoning amendment is unlikely to impact on the heritage significance of the property.

Regardless of the proposed rezoning, it is strongly recommended that the future use and/or redevelopment of the site be guided by a Heritage Impact Statement which includes

strategies to mitigate any negative impact on the historical archaeological significance of the Appin Inn site.

I would like to draw your attention to two archaeological excavation permits for the site that were recently issued by a delegate of the Heritage Council of NSW. I understand that these excavations are still in progress and it is noted that the planning proposal therefore does not reflect the findings of these excavations. It is important that recent information from these excavations is used to inform the development appropriate heritage strategies and proposed recommendations for this site. We therefore recommend that the proposal takes account the recent archaeological findings to:

- clarify whether the site contains archaeological relics of State significance;
- develop a map showing the extent of the area associated with the 'Appin Inn' to be protected;
- complete all the outstanding excavation permit requirements, for the Appin Inn' site, such as additional excavation and interpretation and how these requirements will be managed as part of the planning proposal; and
- updated strategies and recommendations. These should include reference to the fact that in areas where there is potential for archaeological relics to be uncovered, during future development works, the *Heritage Act 1977* requires that an archaeological approval be obtained.

The Greater Western Sydney Region Team of the Office of Environment and Heritage may also provide separate comment on Aboriginal cultural heritage.

If you have any questions regarding the above matter please contact Ms Vibha Upadhyay, Heritage Programs Officer, Statewide Programs at the Heritage Division, Office of the Environment and Heritage by telephone on 02 98738587 or email at vibha.upadhyay@environment.nsw.gov.au.

Yours sincerely



Rochelle Johnston
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15 February 2018