

Elizabeth Slapp
Canberra Town Planning
2/20 Challis Street
Dickson ACT 2602

ELA Ref/Job No: 18CAN_9899

29th May 2018

Dear Elizabeth

Lot 5 DP838497 Sutton Road – Historic Heritage

Eco Logical Australia (ELA) has undertaken a preliminary assessment of whether the land described as Lot 5 DP838497 contains any items of historic heritage significance and whether the proposed subdivision of that land would impact on known heritage places.

Legislative Context

In New South Wales the *Heritage Act 1977* provides protection of the environmental heritage of the State which includes places, buildings, works, relics, movable objects or precincts that are of State or local heritage significance. A key measure for the identification and conservation of State significant items is listing on the State Heritage Register (SHR) as provided in Part 3A of the *Heritage Act*.

Listing on the SHR means that any proposed works or alterations (unless exempted) to listed items must be approved by the Heritage Council or its delegates. Proposals to alter, damage, move or destroy places, buildings, works, relics; moveable objects or precincts protected by an IHO or listed on the SHR require an approval under section 60.

Section 57(2) of the *Heritage Act* provides for a number of potential exemptions to Section 57(1) approval requirements to reduce the need for approval of minor or regular works. Exempted development does not require prior Heritage Council approval. 'Standard' exemptions generally include minor and non-intrusive works such as maintenance, minor repairs and repainting.

Under Section 170 of the *Heritage Act*, all state government agencies must keep and administer a database of heritage assets called a Section 170 Heritage and Conservation Register. The Section 170 Register is an important resource to be used for making decisions about maintaining, conserving and making changes to heritage assets.

Archaeological features and deposits are afforded statutory protection by the 'relics provision'. Section 4(1) of the *Heritage Act* (as amended 2009) defines 'relic' as 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 'relics provision' requires that no archaeological relics be disturbed or destroyed without prior consent from the Heritage Council of NSW. To determine if an area has historical archaeological potential or relics an assessment is to be made using the guidelines *Assessing Significance for Historical Archaeological Sites and Relics* (Heritage Branch 2009). The Heritage Council must be notified on the discovery of a relic under Section 146 of the *Heritage Act 1977*.

Assessment of Lot 5 DP838497

Searches of the Australian Heritage Database, the State Heritage Register (SHR) and Yass Valley Local Environmental Plan (LEP) 2013 utilising the term "Sutton" and "Sutton, NSW" were conducted on 17th May 2018 to determine if any places of historic heritage significance are located within or in proximity to Lot 5 DP838497. No places were included on the SHR. Four places are included in the Yass Valley LEP 2013 (places are mapped on following page).

Table 1: Sites listed on Schedule 5 of the Yass Valley LEP

Name	Address	Property Description	Significance
Weatherboard cottage and slab shed	1 Camp Street	Lot 1, DP 732395	Local
St Peter's Anglican Church	33 Camp Street	Lot 4, Section 9, DP 758937	Local
Sutton Public School, residence & grounds	Victoria Street	Lots 1 and 4, Section 23, DP 758937; Lots 1–3, 6 and 8–10, Section 24, DP 758937; Lots 401–403, DP 821063	Local
Sutton Hall	11 West Street	Lot 1, Section 26, DP 758937	Local

Table 2: Assessment against the requirements of the Yass Valley LEP 2013

Objective	Lot 5 DP838497	Weatherboard Cottage & Slab Hut	St Peters Anglican Church	Sutton Public School	Sutton Hall
To conserve the environmental heritage of Yass Valley	The proposal will not impact upon identified environmental heritage values of Yass Valley.	No impact	No impact	No impact	No impact
To conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views	There is no heritage listing for this property	No impact	No impact	No impact	No impact
To conserve archaeological sites	No significant or potentially significant historic archaeological sites have been identified.	No impact	No impact	No impact	No impact
To conserve Aboriginal objects and Aboriginal places of heritage significance	Please refer to the Aboriginal Due Diligence assessment prepared by Eco Logical Australia Pty Ltd.	Not applicable	Not applicable	Not applicable	Not applicable

The proposed sub-division will should not have a deleterious impact upon any of these places of local heritage significance.

A comprehensive visual assessment of Lot 5 DP838497 was undertaken on Monday 14th May 2018. No items of historic heritage value as defined under the *Heritage Act 1977* were identified. No places considered to be relics or archaeological deposits as defined under the *Heritage Act 1977* were identified.

It is ELAs view that no further historic heritage assessment is required with respect to the proposed sub-division of Lot 5 DP838497.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alistair Grinbergs', written in a cursive style.

Alistair Grinbergs

Principal Consultant – Heritage Strategy & Development

Heritage Listed Places

