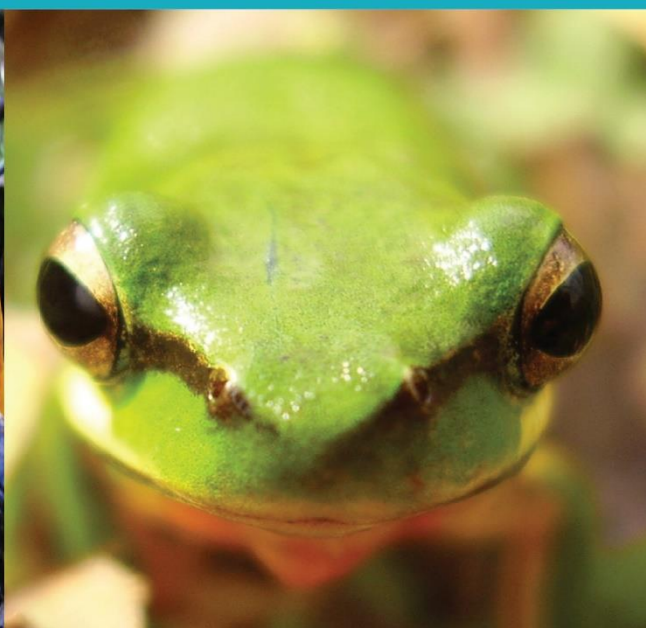




TRAVERS BUSHFIRE & ECOLOGY

A TBE ENVIRONMENTAL COMPANY



HERITAGE IMPACT STATEMENT

Proposed Development

Lot 1, DP1017259

88 Newton Road,
Wetherill Park

11 June 2024

(REF: CENT02ARCH)

HERITAGE IMPACT STATEMENT

Proposed Development

Lot 1 DP1017259, 88 Newton Road, Wetherill Park

Report authors:	Samuel Riley BArch MRes (<i>Consulting Archaeologist – Aboriginal and European Heritage</i>)
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Date:	11/06/24
File:	CENT02ARCH



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The mapping is indicative of available space and location of features which may prove critical in assessing the viability of the proposed works. Mapping has been produced on a map base with an inherent level of inaccuracy, the location of all mapped features is to be confirmed by a registered surveyor.

EXECUTIVE SUMMARY

Travers bushfire & ecology (TBE) was engaged by *Centuria Capital Limited* to prepare a Heritage Impact Statement (HIS) for a proposed single-level warehouse site at Lot 1 DP 1017259 at 88 Newton Road, Wetherill Park (identified as 94 Newton Road on the NSW Planning Portal).

Conclusions

The proposed works for the new warehouse will not have direct impacts on the physical fabric of any heritage listed items. Further, the study area is not within the visual catchment of any listed heritage items. As such, the proposed works will have no detrimental impacts on the aesthetics of views looking from or towards any of these items.

Discovery of historical heritage materials, features or deposits

All archaeological relics are protected under the Heritage Act, regardless of whether they are known or unknown. An unexpected finds protocol should therefore be in place to mitigate heritage material which may be uncovered during works.

If at any time during the proposed construction, historical heritage materials, features and/or deposits are found, the following actions should be undertaken:

- All construction that could potentially harm the historical heritage, features or deposits would cease (including stopping all construction within at least 10 metres). Only construction that is required to comply with occupational and environmental health and standards and/or to protect the historical heritage should occur. Construction that does not have the potential to harm the historical heritage would continue only if it were outside the minimum 10 metre buffer.
- The on-site supervisor would inform the Project Manager of the discovery.
- A suitably qualified and experienced archaeologist would be contacted as soon as practicable in relation to the unexpected discovery of any historical heritage and would be responsible for recording, in detail, the location and context of any historical heritage. Any materials, features and/or deposits would be analysed and/or catalogued and any official site records would be created or updated (where appropriate). The archaeologist would also make recommendations for the management of the historical heritage in relation to the project.
- It is preferable to avoid impacts on historical heritage where possible. If avoidance is not possible, the archaeologist would conduct a salvage excavation. The aims of the salvage excavation would be to obtain as much information as possible from the historical heritage materials, features and/or deposits.
- The archaeologist would provide a report detailing the excavation, salvage and analysis results to Heritage NSW (Department of Premier and Cabinet) at the completion of the salvage.

The proponent would be responsible for the costs associated with the assessment, cataloguing, labelling, packaging etc. of any historical heritage materials, features and/or deposits. Work would recommence within the area of exclusion:

- When the appropriate protective measures have been implemented
- Where the relevant records have been updated and/or completed.
- Where all parties agree there is no other prudent or feasible course of action.

Discovery of human remains

In the event that construction of the proposal reveals possible human skeletal material (remains) the following procedure would be implemented:

- As soon as the remains are exposed, all construction would halt at that location immediately and the on-site supervisor would be immediately notified to allow assessment and management.
- The on-site supervisor would contact police.
- The on-site supervisor would contact Department of Planning and Environment (DPE) Environment Line on 131 555 and Heritage NSW on (02) 9873 8500.
- A physical or forensic anthropologist would inspect the remains in situ (organised by the police unless otherwise directed by police) and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or forensic).
- If the remains are identified as forensic, the area would be deemed a crime scene.
- If the remains are identified as Aboriginal, the site would be secured and DPE and all Aboriginal stakeholders would be notified in writing.
- If the remains are identified as non-Aboriginal (historical) remains, the site would be secured and Heritage NSW would be contacted.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the area and remains would be determined through one of the following means:

- If the remains are identified as a forensic matter, management of the area would be determined through liaison with the police.
- If the remains are identified as Aboriginal, management of the area would be determined through liaison with the client, DPE and registered Aboriginal stakeholders.
- If the remains are identified as non-Aboriginal (historical), management of the area would be determined through liaison with the client and Heritage NSW.
- If the remains are identified as not being human, then work would recommence once the appropriate clearances have been given.

LIST OF ABBREVIATIONS

CHL	Commonwealth Heritage List
DPC	Department of Premier and Cabinet
DPE	Department of Planning and Environment
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999 (Cth)</i>
Heritage Act	<i>Heritage Act 1977</i>
HIS	Heritage Impact Statement
km	kilometres
LEP	local environment plan
LGA	local government area
NHL	National Heritage List
NSW	New South Wales
REF	Review of Environmental Factors
RNE	Register of the National Estate
s	Section
s170	Section 170 Heritage and Conservation Registers
SHR	State Heritage Register
<i>TBE</i>	<i>Travers bushfire and ecology</i>

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1. BACKGROUND

1.1 Project background

Travers bushfire & ecology (TBE) was engaged by *Centuria Capital Limited* to prepare a Heritage Impact Statement (HIS) for a proposed single-level warehouse site at Lot 1 DP 1017259 at 88 Newton Road, Wetherill Park (identified as 94 Newton Road on the NSW Planning Portal).

1.2 The proposal

The scope of the works involves the demolition of existing buildings and structures, construction and operational use of a single-storey warehouse and distribution centre with ancillary administration space and amenities, on-site parking, landscaping and access, and other associated works including bulk earthworks, site preparation works and site clearance, as well as augmentation and construction of servicing utilities.

Figure 1-1 shows the location of the study area and Figure 1-2 shows the site and warehouse plan.

1.3 Aims and methodology

The methodology used for this HIS is consistent with the Australia ICOMOS *Burra Charter* and the NSW Department of Planning (Heritage Division) publication, *Assessing Heritage Significance* (NSW Heritage Office, 2002).

The significance assessment, together with an outline of statutory requirements, informed the impact assessment and recommendations. In accordance with the brief the assessment methodology included:

- A review of background research for the existing site, including historical mapping and some primary research.
- Searches of statutory and non-statutory heritage registers, including the NSW State Heritage Register, NSW State Heritage Inventory, Local Environmental Plan (LEP), S170 Registers, Commonwealth Heritage List and World Heritage List.
- A description of the heritage significance of Heritage Items and Conservation Areas within or in the vicinity of the Project.
- An assessment of significance of the adjacent Heritage Items and Conservation Areas within or in the vicinity of the Project.
- A visual inspection to assess the potential visual impacts to surrounding LEP heritage items.
- The HIS and a discussion addressing the relevant sections of the Fairfield LEP 2013.



Figure 1-1 – Location of study area

Centuria

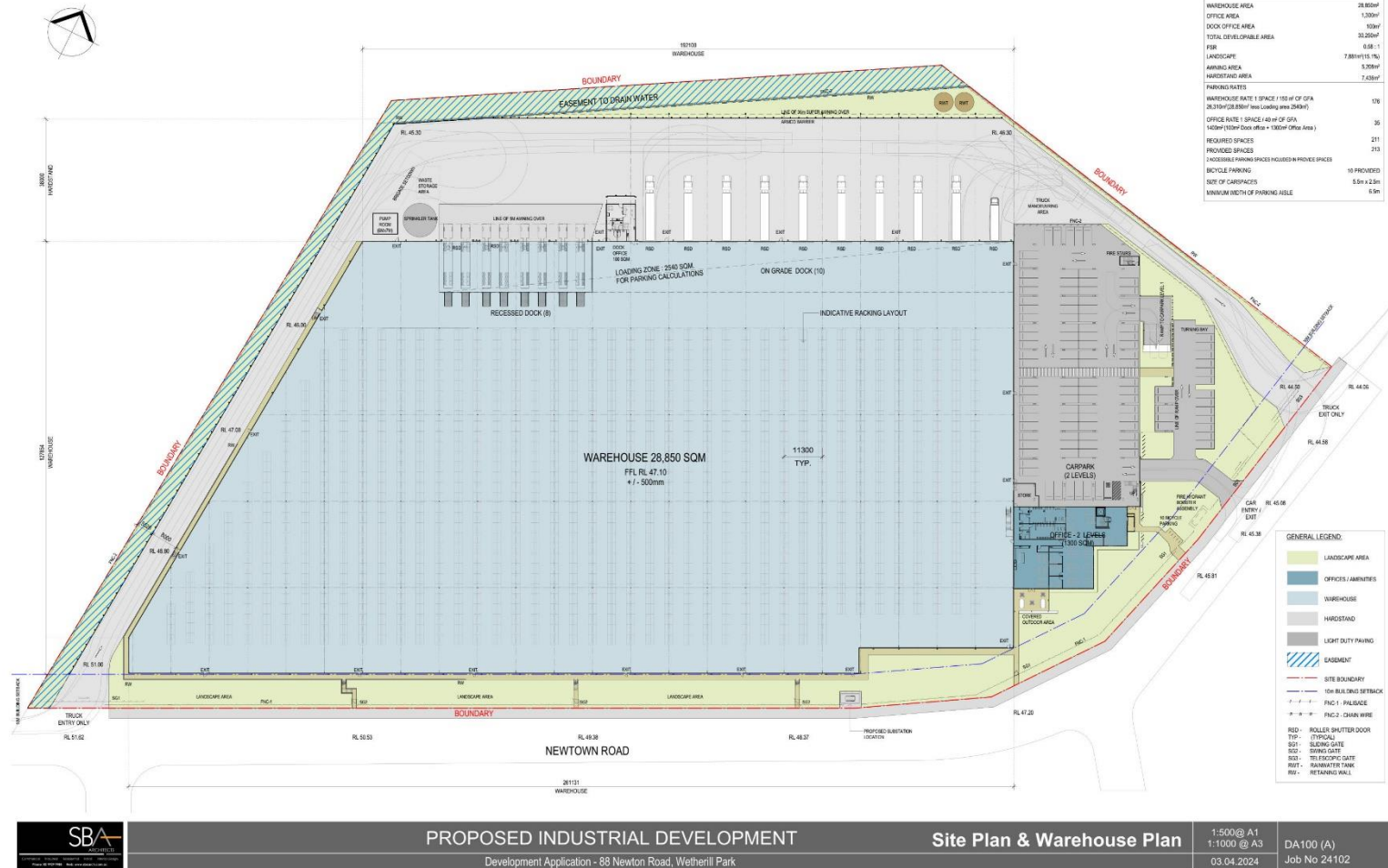


Figure 1-2 – Site plan and warehouse plan

(Source: SBA Architects, 03.04.2024)

2. LEGISLATIVE AND PLANNING CONTEXT

A number of planning and legislative documents govern how historic heritage is managed in NSW and Australia. The following section provides an overview of the requirements under each as they apply to the proposal.

2.1 Commonwealth legislation

2.1.1 *Environment Protection and Biodiversity Conservation Act 1999 (Cth)*

The *Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)* includes 'national heritage' as a matter of National Environmental Significance and protects listed places to the fullest extent under the Constitution. It also established the National Heritage List (NHL) and the Commonwealth Heritage List (CHL). The following is a description of each of the heritage lists and the protection afforded to places listed on them.

(a) Commonwealth Heritage List

The CHL is established under the *EPBC Act*. The CHL is a list of properties owned by the Commonwealth that have been assessed as having significant heritage value. Any proposed actions on CHL places must be assessed for their impact on the heritage values of the place in accordance with Actions on, or impacting upon Commonwealth land, and actions by Commonwealth agencies (Significant Impact Guidelines 1.2). The guidelines require the proponent to undertake a self-assessment process to decide whether or not the action is likely to have a significant impact on the environment, including the heritage value of places. If an action is likely to have a significant impact, an *EPBC Act* referral must be prepared and submitted to the Minister for approval.

(b) National Heritage List

The NHL is a list of places with outstanding heritage value to Australia, including places overseas. Any proposed actions on NHL places must be assessed for their impact on the heritage values of the place in accordance with Management of National Environmental Significance (Significant Impact Guidelines 1.1). The guidelines require the proponent to undertake a self-assessment process to decide whether or not the action is likely to have a significant impact on a matter of National Environmental Significance, including the national heritage value of places. If an action is likely to have a significant impact, an *EPBC Act* referral must be prepared and submitted to the Minister for approval.

(c) Register of the National Estate

The Register of the National Estate (RNE) was formerly compiled as a record of Australia's natural, cultural and Aboriginal heritage places worth keeping for the future. The RNE was frozen on 19 February 2007, which means that no new places have been added or removed since that time. From February 2012 all references to the RNE were removed from the *EPBC Act*. The RNE is maintained on a non-statutory basis as a publicly available archive.

2.2 State legislation

2.2.1 *Environmental Planning and Assessment Act 1979 (NSW)*

The *Environmental Planning and Assessment Act 1979 (NSW)* (EP&A Act) requires that environmental impacts are considered in land-use planning, including impacts on Aboriginal and non-Aboriginal heritage. Part 5 of the EP&A Act is designed to ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent.

(a) **Fairfield Local Environmental Plan 2013**

The EP&A Act requires councils to consider environmental effects when assessing new developments. Heritage is one of the matters for consideration. Sites of environmental heritage (including historic heritage sites and sometimes Aboriginal heritage sites) are protected by gazetted Local Environmental Plans (LEP) and Development Control Plans (DCP) which specify the constraints on development in the vicinity of these sites unless being assessed under Part 5 of the EP&A Act. The Fairfield LEP 2013 has provided a Schedule (Schedule 5) of Environmental Heritage which provides statutory protection for those items listed.

Development consent is required for any of the following:

- Demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)
 - i. a heritage item
 - ii. an Aboriginal object
 - iii. a building, work, relic or tree within a heritage conservation area
- altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item
- disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed
- disturbing or excavating an Aboriginal place of heritage significance
- erecting a building on land
 - i. on which a heritage item is located or that is within a heritage conservation, or
 - ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance
- subdividing land
 - i. on which a heritage item is located or that is within a heritage conservation area, or
 - ii. on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

2.2.2 *The Heritage Act 1977 (NSW)*

(a) **State Heritage Register**

The Heritage Council of NSW maintains the State Heritage Register (SHR). Only those items which are of state-level heritage significance in NSW are listed on the SHR. Listing on the SHR controls activities such as alteration, damage, demolition and development. When a

place is listed on the SHR, the approval of the Heritage Council of NSW is required for any major work, including the following:

- Demolishing the building
- Carrying out any development in relation to the land on which the building, work or relic is situated, the land that comprises the place or land within the precinct.
- Altering the building, work, relic or moveable object.

An application under Section (s) 60 of the *Heritage Act 1977 (Heritage Act)* must be made to the Heritage Council in order to carry out such activities.

In some circumstances an s60 permit may not be required if works are undertaken in accordance with the *Standard Exemptions under the Heritage Act 1977 (NSW)*. In 2020, the Heritage Council removed the requirement for proponents to apply for formal exemption approval in favour of a three-tiered approval system. For works to occur which require no approval the works need to comply with specified activities/works and the relevant standards outlined in the *Standard Exemptions under the Heritage Act 1977 (NSW)* guidelines. It should be noted that fewer exempt works are covered by this pathway than were previously covered by the section 57 exemption application process.

If the works are not assessed as meeting the relevant standards, then either a Fast Track or regular s60 application under the *Heritage Act*. An s60 Fast Track application are for works which may have little or no adverse impact on the heritage significance of the heritage item. The statutory timeframe for approval for an s60 Fast Track is 21 days, whereas a normal s60 can take up to 40 days to be approved. The new Heritage Management System allows proponents to lodge and review the status of active heritage applications.

(b) Archaeological relics

Part 6 Division 9 of the *Heritage Act* protects archaeological 'relics' from being 'exposed, moved, damaged or destroyed' by the disturbance or excavation of land. This protection extends to the situation where a person has 'reasonable cause to suspect' that archaeological remains may be affected by the disturbance or excavation of the land. It applies to all land in NSW that is not included in the SHR. A 'relic' is defined by the *Heritage Act* as:

Any deposit, object or material evidence which relates to the settlement of the area that comprises NSW, not being Aboriginal settlement, and has local or state significance.

Section 139 of the *Heritage Act* requires any person who knows or has reasonable cause to suspect that their proposed works will expose or disturb a 'relic' to first obtain an Excavation Permit from the Heritage Council of NSW (pursuant to Section 140), unless there is an applicable exception (pursuant to Section 139(4)). If there is an exception, an Excavation Permit Exemption Notification Form must be submitted and endorsed by the Director of Heritage Branch for places not listed on the SHR.

In some circumstances an s140 permit may not be required when excavating land in NSW. In accordance with the NSW Government Gazette (no. 110, 5 September 2008) Schedule of Exceptions to subsection 139 (1) and (2) of the *Heritage Act*, made under subsection 139 (4):

Excavation or disturbance of land of the kind specified below does not require an excavation permit under section 139 of the Heritage Act, provided that the Director-General is satisfied that [certain criteria] have been met and the person proposing to undertake the excavation or disturbance of land has received a notice advising that the Director-General is satisfied that:

(c) A statement describing the proposed excavations demonstrates that evidence relating to the history or nature of the site, such as its level of disturbance, indicates that the site has little or no archaeological research potential.

An Excavation Permit Exception Notification Form is required to be submitted to the NSW Heritage Branch with appropriate supporting information (such as this heritage assessment). If the Director of the Heritage Branch is satisfied of the relevant matters relating to the proposal, a copy of the forms will be endorsed by the Heritage Branch and returned to the applicant.

Section 146 of the *Heritage Act* requires any person who is aware or believes that they have discovered or located a relic must notify the Heritage Council of NSW providing details of the location and other information as required.

(c) Works

The *Heritage Act* identifies 'works' as a category separate to relics. 'Works' refers to evidence of past infrastructure which may be buried, and therefore be 'archaeological' in nature and with the potential to provide information that contributes to our knowledge. Exposure of 'works' does not trigger reporting obligations under the *Heritage Act*. However, good environmental practice recognises the archaeological potential of such discoveries and the need to balance these against the requirements of the development.

3. BACKGROUND

3.1 Historical Context

3.1.1 *Regional history*

European exploration in the region began shortly after the landing of the First Fleet in 1788, with Governor Phillip leading a party up Prospect Hill in April that year. Prospect Hill became a significant landmark for settlers and a reference point for early exploratory parties including Watkin Tench in his journey west in 1789.

By the 1850's with the construction of the Southern Railway line land within the Fairfield LGA had developed with small towns, timber operations, marked gardens, vineyards and orchards. Settlement within this area was also encouraged with the development and construction of the Prospect Reservoir.

3.1.2 *History of the study area*

Parish maps from 1893 (Figure 3-1) and 1928 (Figure 3-2) show that the land upon which the study area lies formed part of the Veteran Hall farm at Prospect, owned by William Lawson. When Lawson died in 1850, he held approximately 85,000 acres of land across NSW which was bequeathed in its entirety to his son, William Jr. The homestead on the farm was demolished in 1926, and much of the farmland now lies under the water of Prospect reservoir.

Historical aerials from 1960 (Figure 3-3), 1977 (Figure 3-4), 1985 (Figure 3-5), 1997 (Figure 3-6) and 2001 (Figure 3-7) show that the study area and its surrounds have been almost entirely developed in the last 60 years:

- In 1960, the study area and its surrounds have yet to be developed. The surrounding area is used for farming, with a dam located just to the west of the study area.
- In 1977, the study area remains farmland. A residence has been constructed along Newton Road in the southern study area.
- In 1985, There is evidence of more intensive land use within the study area. The residence is connected to other parts of the study area by a gravel track, and industrial stockpiles present in numerous parts of the study area
- In 1997, land use has again intensified, with an increasing amount of industrial stockpiling visible in the study area. A stormwater easement has been constructed along the northern boundary of the study area.
- Between 1997 and 2001 the study area has been extensively developed, with a warehouse, associated access roads and carpark having been constructed within the study area during this period.

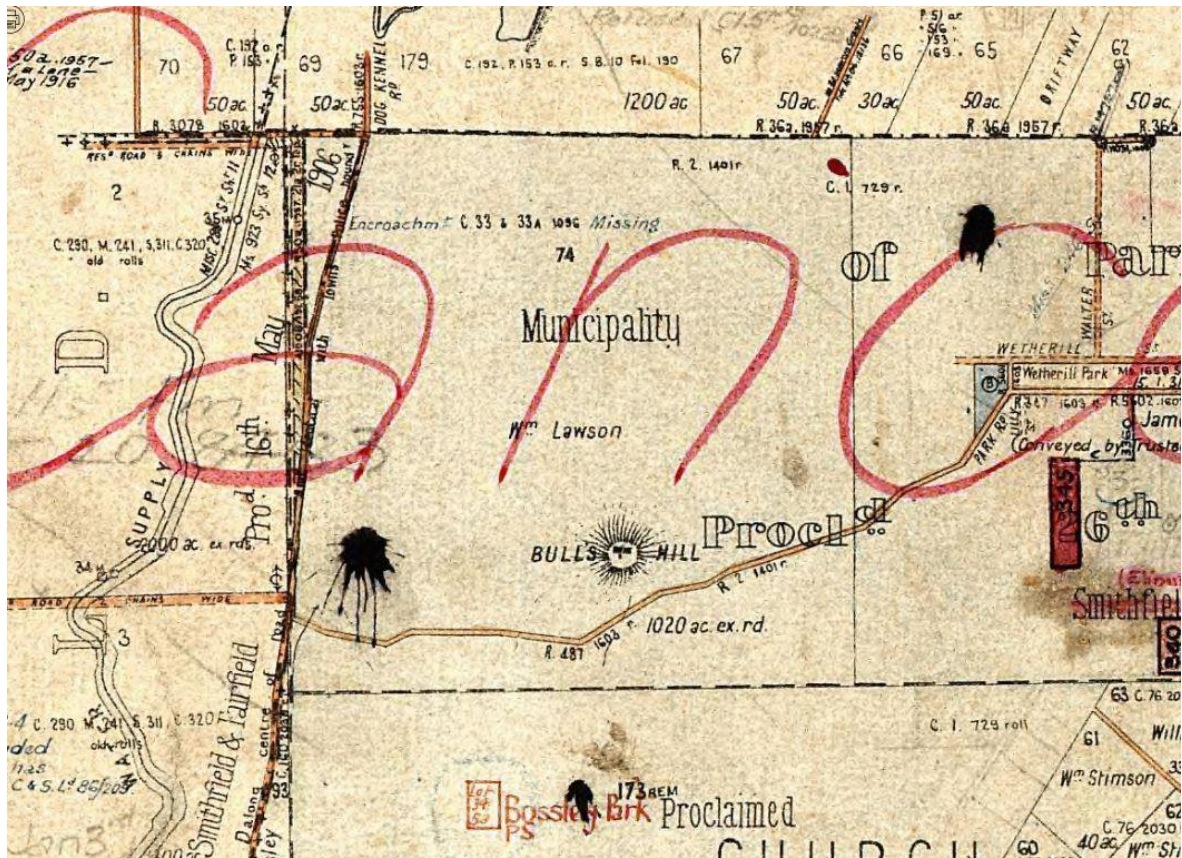


Figure 3-1 – 1893 Parish map

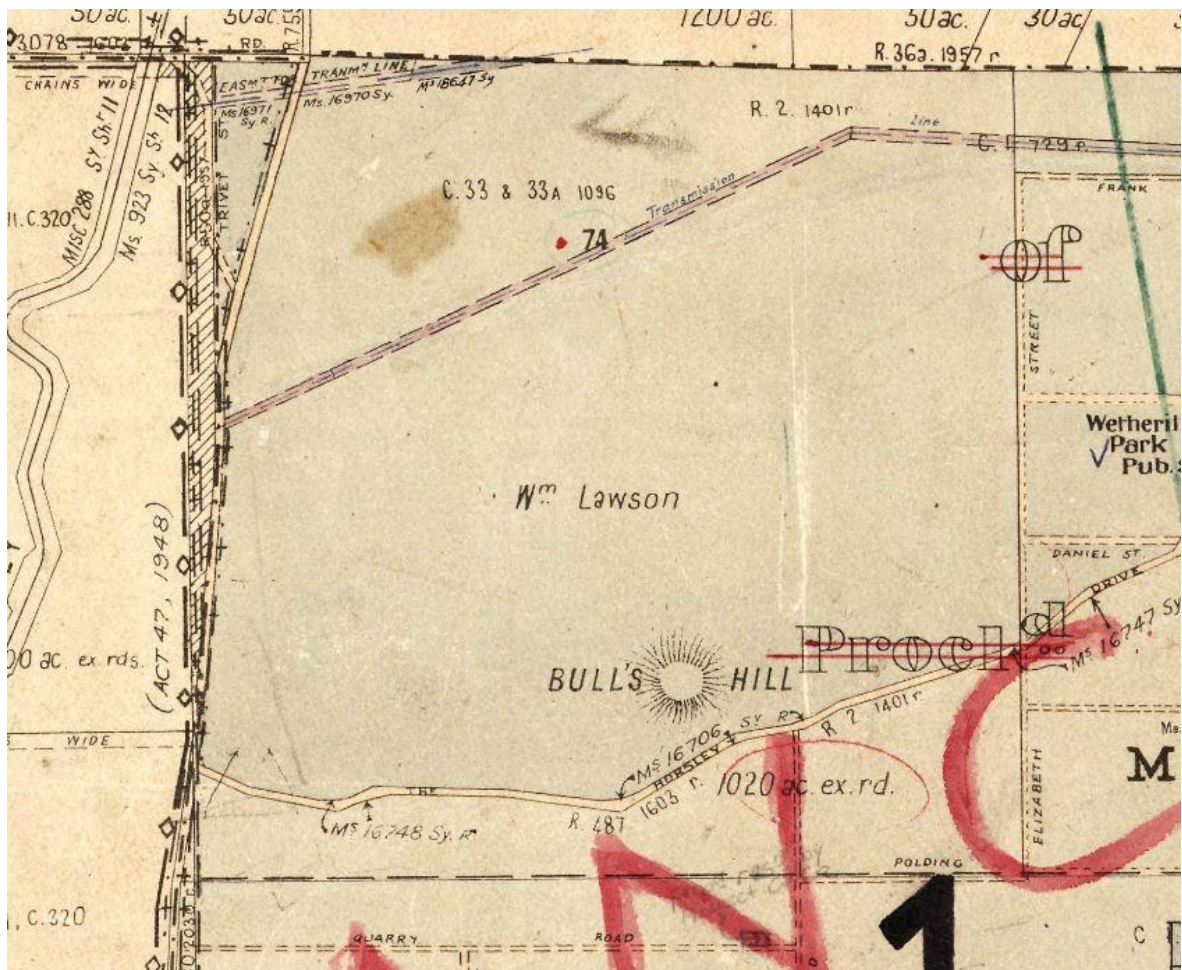


Figure 3-2 – 1928 Parish map



Figure 3-3 – 1960 historical aerial



Figure 3-4 – 1977 historical aerial



Figure 3-5 – 1985 historical aerial



Figure 3-6 – 1997 historical aerial



Figure 3-7 – 2001 historical aerial

3.2 Heritage context

3.2.1 Register results

Searches were made of the following relevant Commonwealth, State and local heritage registers on which historical places are entered on:

- NSW State Heritage Register
- NSW State Heritage Inventory
- Section 170 Heritage and Conservation Registers (Section 170)
- Commonwealth Heritage List
- National Heritage List
- World Heritage List
- Register of the National Estate (RNE)
- Fairfield Local Environmental Plan (LEP) 2013

The search identified five heritage items within 1.5 kilometres (km) of the study area. These results are summarised in Table 3-1.

TABLE 3-1 – HERITAGE ITEMS IN CONTEXT OF STUDY AREA

Item name	Register	Number	Significance	Proximity to study area	Location
Prospect Reservoir and surrounding area	NSW State Heritage Register	01370	State Significance	Approx. 985m north of the study area	Reservoir Road, Prospect /Davis Road, Wetherill Park
Upper Canal System (Pheasants Nest to Prospect Reservoir)	NSW State Heritage Register	01373	State Significance	Approx. 1.5km west of the study area	Horsley Park, NSW
Phuoc Hue Buddhist Monastery	Fairfield LEP 2013	I102	Local significance	Approx 1.1km east of the study area	363-365 Victoria Street, Wetherill Park
Bossley Park public school	Fairfield LEP 2013	I6	Local significance	Approx. 1.2km southwest of the study area	68 Bossley Road, Bossley Park
Bunya Pines	Fairfield LEP 2013	I101	Local Significance	Approx. 1.6km east of the study area	300 Victoria Street, Cabramatta West

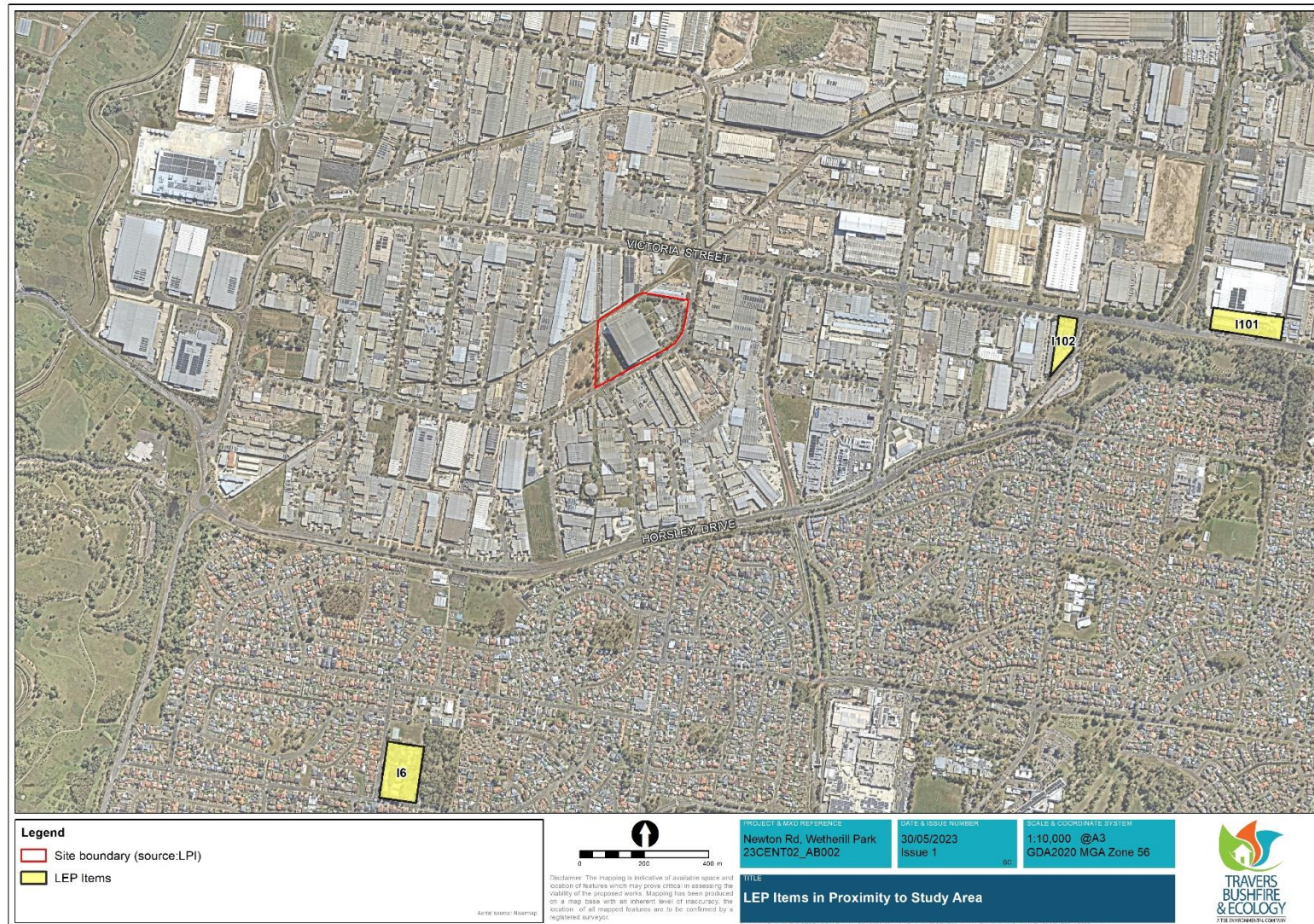


Figure 3-8 – LEP items in proximity to study area

4. VISUAL INSPECTION


A visual inspection was undertaken on 24 May 2023 by Samuel Riley (Archaeology Team Leader, *TBE*). The main purpose of the inspection was to assess the nearby heritage listed items to determine what impacts the proposed development may have on these individual items.




Heritage items associated with the sites former use as Veteran Hall farm, owned by William Lawson, were considered the most likely to be identified within the study area. No areas or items considered to have heritage values associated with Veteran Hall farm or other former land uses were identified within the study area.

Views towards each of the nearby heritage items were examined to determine if the study area sits within the visual catchment of any of these sites. Views to the north towards Prospect Reservoir determined that the study area was not within the visual catchment of the heritage item. Views to the west towards the Upper Canal System determined that the study area was not within the visual catchment of the heritage item. Views to the east towards Phuoc Hue Monastery and the Bunya Pines determined that the study area was not within the visual catchment of the heritage item. Views to the southwest towards Bossley Park public school determined that the study area was not within the visual catchment of the heritage item.

No areas or items holding heritage values were identified within the study area. Views towards nearby heritage items determined that the study area is not within the visual catchment of any listed heritage items.

TABLE 4-1 – SITE INSPECTION PHOTOGRAPHS (S. RILEY 24 MAY 2023)

Photograph	Description
	Figure 4-1 – View north towards Prospect Reservoir

Photograph	Description
	<p>Figure 4-2 – View west towards the Upper Canal System</p>
	<p>Figure 4-3 – View east towards Phuoc</p>
	<p>Figure 4-4 – View southwest towards Bossley Park public school</p>

5. CULTURAL HERITAGE ASSESSMENT

5.1 Basis for assessment

The concept of cultural heritage significance helps in estimating the value of places. Items which are likely to be of significance are those which 'help an understanding of the past or enrich the present and which will be of value to future generations' (Australia ICOMOS 2000:12). In Australia, the significance of a place is generally assessed according to the following values:

- Aesthetic value
- Historic value
- Scientific value
- Social value

The NSW Heritage Council has adopted specific criteria for heritage assessments, which have been gazetted pursuant to the *Heritage Act*. The seven criteria upon which the following assessment of significance is based are outlined below:

- Criterion (a) Historical significance
- Criterion (b) Associative significance
- Criterion (c) Aesthetic significance
- Criterion (d) Social significance
- Criterion (e) Scientific significance
- Criterion (f) Rarity
- Criterion (g) Representativeness

The Heritage Council also assess the integrity and intactness in relation to heritage places.

Components of the NSW Heritage Manual, published by the NSW Heritage Office and Department of Urban Affairs and Planning (NSW Heritage Office 2001) (now the Heritage Division, Department of Premier and Cabinet), sets out a detailed process for conducting assessments of heritage significance. This assessment of significance has been undertaken in accordance with these guidelines.

5.2 Statement of Significance

The following sections are taken directly from the description of the significance assessment from the State Heritage Inventory (SHI) sheet prepared for each item.

5.2.1 Prospect Reservoir and surrounding area

Prospect reservoir and surrounds is listed on the State Heritage Register as item #01370. The following description is based on the SHI listing, accessed on 19 February 2024.

Prospect Reservoir is Sydney's largest reservoir and stores water conveyed from Warragamba Dam, the Upper Nepean Dams (Cataract, Cordeaux, Avon and Nepean) and if necessary, from the Shoalhaven Scheme, for supplying the larger component of the water distribution system of the Sydney metropolis.

Located approximately 34km west of Sydney, the reservoir is a zoned earth embankment dam, 26m high and approximately 2.2km long, with a storage capacity of 50,200 megalitres and an open capacity of 8,870 megalitres. With the

completion of the main storage dams, the reservoir's function has changed from largely being a storage apparatus to the main service reservoir and sedimentation basin for the metropolitan system. Prospect Reservoir's dam is an earth dam 2210 metres long and consists essentially of a puddle clay core with shoulders of selected earth placed in layers 300mm thick. During construction these were compacted by rolling. It was completed in 1888, and in 1898 the crest level was raised by 0.5 metres.

The upstream slope of the wall is pitched with locally quarried diorite blocks 450 mm thick.

The curtilage includes the boundary of the grounds owned by Sydney Water Corporation and the components within it, namely;

- the reservoir itself;*
- side spillway and channel at the southern end of the wall;*
- drainage and monitoring installations at the toe on the downstream face of the wall;*
- the access road along the toe of the downstream face of the wall; and*
- the outlet works which connect the stored water to the Lower Canal - consisting of outlet tower, pipelines, valve house and valve, scour lines and valves, and the other metering, screening and control installations.*

The listing includes Prospect Reservoir, landscape elements and all associated structures, including pumping stations, to the property boundary. The environs of the reservoir and hence this listing also include a wide range of items, which relate to later amplification of water supply. These include examples of 1920s and 30s pumping stations, a residence, and the 72" (1,800 mm) main, constructed between the Upper Canal and Pipe Head in 1937. Later items associated with the Warragamba Supply Scheme and more modern developments include several more recent pumping stations, screening and boosting plants on the eastern and southern sides of the Reservoir, and the 84-inch (2,100 mm) water main from Prospect, to Pipe Head, completed in 1958.

Natural Heritage Values

The immediate catchment area of the reservoir is almost entirely vegetated. This vegetation, cleared during settlement, has recovered to be one of the finest examples of the native bushland left in the western suburbs of Sydney.

The bushland surrounding Prospect Reservoir is classified as Cumberland Plain Woodland (CPW). Less than 13% of CPW remains and a high proportion of this figure is heavily degraded through weed invasion, rubbish dumping, illegal vehicle use and overgrazing. In the protected catchment these degrading influences are largely absent and this is reflected in the excellent bushland condition.

Cumberland Plain Woodland is listed at state and federal levels as an endangered ecological community. Legislation at both levels provides a framework for the protection of ecological communities under threat.

Bushland condition is best in the northern section and decreases in the southern areas. A rapid flora survey of Prospect Reservoir (approximately 1km north from spoil site) revealed over fifty native species.

Prospect Reservoir is an important refuge for many fauna species in Western Sydney. Mammals such as wombats, echidnas and eastern grey kangaroos are listed as recent sightings in the National Park species atlas. Importantly, over 12 species of bats (including threatened species) have been recorded within the vicinity of the reservoir.

*The bushland near the filtration plant is less diverse and more degraded than in the immediately adjacent Sydney Catchment Authority land. A similar but much more restricted suite of native species can be found there. Exotic species including *Chloris gayana* (Rhodes grass), *Setaria gracilis* (pigeon grass) and *Eragrostis curvula* (African love grass) dominate. These species are indicators of significant soil disturbance. The vegetation condition varies from a young eucalypt canopy with a low diversity understorey to eucalypt regrowth in a largely exotic pasture. Other areas are exotic pastures with no native element present.*

Despite the lower quality of bushland this site still has significant ecological importance. If rehabilitated, it would significantly improve ecological connectivity, especially between Prospect Reservoir and the riparian vegetation along Eastern Creek. (Greening Australia, 2006)

Prospect Reservoir and surrounding areas have been assessed as being of State significance for the criteria listed in Table 5-1.

TABLE 5-1 – SIGNIFICANCE ASSESSMENT OF PROSPECT RESERVOIR AND SURROUNDING AREA BASED ON SHI LISTING

Criteria	Description
Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW cultural or natural history	This item is assessed as historically rare state wide. This item is assessed as scientifically rare state wide.
Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW cultural or natural places or cultural or natural environments	This item is assessed as aesthetically representative locally.

The following is the statement of significance as on the SHI:

Prospect Reservoir is historically significant at the state level as it is a central element of the Sydney water supply system. As a part of the Upper Nepean Scheme, the Reservoir has continued to supply water to Sydney for over 120 years, and generally still operates in the same way as it was originally constructed. That it has continued to be used since its construction reflects the inventive and progressive way in which the reservoir was designed and built, and this contributes to its significance greatly.

The Reservoir reflects three significant changes in municipal life during the late 19th century; the development of water and general public utility services; the importance of ensuring an adequate and dependable centralised water supply; and the collective bureaucratic response to the delivery of capital works of this nature.

Built between 1882 and 1888, it was an outstanding achievement in civil engineering technology at the time, using innovative design and construction methods. It has a high level of historical engineering significance.

Prospect Reservoir is strongly associated with the Harbours and Rivers Branch of the NSW Public Works Department, particularly Edward Orpen Moriarty, Head of the branch at the time of the Reservoir's construction, and later with the Board of Water Supply and Sewerage (later the Metropolitan Water and Sewerage Board) and most recently, with the Sydney Catchment Authority.

The Reservoir area is aesthetically significant, as a picturesque site with a large expanse of water, parklands, landscaping and bush. The place is valuable for its recreational amenity for passive recreation, punctuating the monotony of the surrounding urban landscape. It has been used for recreation by the community for generations.

It continues to regulate the release of water from Prospect Reservoir to the Lower Canal and the Sydney Distribution system.

The place also contains examples of functional colonial architecture.

The listing includes Prospect Reservoir, landscape elements and all associated structures, including pumping stations, to the property boundary. The environs of the reservoir and hence this listing also include a wide range of items, which relate to later amplification of water supply. These include examples of 1920s and 30s pumping stations, a residence, and the 72" (1,800 mm) main, constructed between the Upper Canal and Pipe Head in 1937. Later items associated with the Warragamba Supply Scheme and more modern developments include several more recent pumping stations, screening and boosting plants on the eastern and southern sides of the Reservoir, and the 84-inch (2,100 mm) water main from Prospect, to Pipe Head, completed in 1958.

5.2.2 Upper Canal System (Pheasants Nest Weir to Prospect Reservoir)

Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) is listed on the State Heritage Register as item #01373. The following description is based on the SHI listing, accessed on 19 February 2024.

Upper Nepean Scheme consisted of:

- two diversion weirs in the Upper Nepean River at Pheasant's Nest and Broughton's Pass, collecting water from the four major dams on Cataract, Cordeaux, Nepean and Avon Rivers;*
- water feeding into The Upper Canal, a 64km-long series of tunnels, canals and aqueducts, feeding by gravity to;*
- a reservoir at Prospect.*

The Upper Canal System is an integral element of the Upper Nepean Scheme and is the man-made section of the Scheme between Pheasant's Nest Weir and Prospect Reservoir. It still operates as a gravity supply.

The Canal was built using a variety of materials and structure types to suit the nature of the countryside through which it was passing. Above ground the water was channelled in open canal sections.

Where the ground was soft the Canal was V-shaped and lined with shale or sandstone. In other sections, it was U-shaped and lined with sandstone masonry or left unlined where the Canal cut through solid rock.

Where the water had to pass through hills or rises, tunnels were excavated and left unlined where they passed through rock and lined with brick where they cut through softer material.

Over creeks and other deep depressions, the water moved through wrought iron aqueducts.

Other original design features included:

- stop boards to allow sections of the Canal to be closed for cleaning and repair;
- flumes to ensure that stormwater from surrounding lands did not enter the Canal to pollute;
- bridges to carry major roads; and
- 'occupation bridges' to allow access for property owners.

Residences:

Throughout the late-19th and early 20th century the water supply through the scheme was managed by a resident engineer who lived on site in various locations over time including Prospect Reservoir, Potts Hill and Pipe head.

Maintenance men and inspectors were living along the Canal housed in cottages owned by the Water Board. There were also valve controllers living at the weirs at the southern end and Prospect Reservoir in the north, to regulate the discharge of water along the Scheme. Most of these houses have been demolished, but the sites of some remain in archaeological form (GAO, 2018, 24).

Upper Canal System (Pheasants Nest Weir to Prospect Reservoir) has been assessed as being of State significance for the criteria listed in Table 5-2.

TABLE 5-2 – SIGNIFICANCE ASSESSMENT OF UPPER CANAL SYSTEM (PHEASANTS NEST WEIR TO PROSPECT RESERVOIR) BASED ON SHI LISTING

Criteria	Description
Criterion (a) an item is important in the course, or pattern, of NSW cultural or natural history	The upper Nepean Scheme has functioned as part of the main water supply system for Sydney since 1888. Apart from the augmentation and development in supply and other improvements, the Upper Canal and Prospect Reservoir portions of the Scheme have changed little and in most cases operate in essentially the same way as was initially envisaged.
Criterion (b) an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW cultural or natural history	The construction of the Upper Nepean Scheme made the big advance from depending on local water sources to harvesting water in upland catchment areas, storing it in major dams and transporting it to the city by means of major canals and pipelines.

Criteria	Description
Criterion (e) an item has potential to yield information that will contribute to an understanding of NSW cultural or natural history.	<p>The Upper Nepean Scheme provides detailed and varied evidence of engineering construction techniques prior to the revolution inspired by reinforced concrete construction. Although concrete was later used to improve the durability of the System, much of the earlier technology is still evident along the canal.</p> <p>It also provides extensive evidence of the evolution of engineering practice, such as the replacement of timber flumes by wrought iron flumes to be followed by concrete flumes. The early utilisation of concrete for many engineering purposes in the System, also demonstrates the growing emergence of an engineering technology based upon man-made materials.</p>
Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW cultural or natural history	<p>The Upper Nepean Scheme is unique in NSW, being the only extensive canal, reservoir and dam network to supply a large city and its population with fresh water from a distant source in the hinterland. This type of water supply is also rare in Australia and only has major comparative examples in other countries.</p>

The following is the statement of significance as on the SHI:

The Upper Canal System is significant as a major component of the Upper Nepean Scheme. As an element of this Scheme, the Canal has functioned as part of Sydney's main water supply system since 1888. Apart from maintenance and other improvements, the Upper Canal has changed little.

As part of this System, the Canal is associated with Edward Moriarty, Head of the Harbours and Rivers Branch of the NSW Public Works Department.

The Canal is aesthetically significant, running in a serpentine route through a rural bushland setting as an impressive landscape element with sandstone and concrete-lined edges;

The Canal is significant as it demonstrates the techniques of canal building, and evidence of engineering practice. The Canal as a whole is an excellent example of 19th century hydraulic engineering, including the use of gravity to feed water along the canal (BCubed Sustainability, 2/2006).

The Upper Nepean Scheme is significant because:

** In its scope and execution, it is a unique and excellent example of the ingenuity of late 19th century hydraulic engineering in Australia, in particular for its design as a gravity-fed water supply system.*

** It has functioned as a unique part of the main water supply system for Sydney for over 100 years, and has changed little in its basic principles since the day it was completed.*

** It represented the major engineering advance from depending on local water sources to harvesting water in upland catchment areas, storing it in major dams and transporting it the city by means of major canals and pipelines.*

* *It provides detailed and varied evidence of the engineering construction techniques prior to the revolution inspired by reinforced concrete construction, of the evolution of these techniques (such as the replacement of timber flumes with wrought iron and then concrete flumes), and of the early use of concrete for many engineering purposes in the system.*

* *The scheme possesses many elements of infrastructure which are of world and national renown in technological and engineering terms.*

* *Many of the structural elements are unique to the Upper Nepean Scheme.*

5.2.3 Phuoc Hue Buddhist Monastery

Phuoc Hue Buddhist Monastery is listed on the Fairfield LEP 2013 as item #1102. The following description is based on the SHI listing, accessed on 19 February 2024.

Temple complex has imposing three-arched gateway with curling roofs, traditional main temple with elevated veranda and ornamental balustrades, library on lower level, seven-level stupa (pagoda), ancillary buildings, grounds landscaped in traditional style.

Phuoc Hue Buddhist Monastery has been assessed as being of local significance for the criteria listed in Table 5-3.

TABLE 5-3 – SIGNIFICANCE ASSESSMENT OF PHUOC HUE BUDDHIST MONASTERY BASED ON SHI LISTING

Criteria	Description
Criterion (a) an item is important in the course, or pattern, of NSW cultural or natural history	Evidence of the migration of Vietnamese people to Fairfield in the late 20 th Century, of their commitment to their traditional faith, and of its coexistence with other faiths and other values
Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW.	Distinctive gateway and prominent stupa (pagoda) give the temple a landmark quality. Late 20 th Century Immigrants' Nostalgic style reflects traditional south Asian Buddhist temples, with contemporary structural system and some Australian materials used. Rich yet calm interior. Exotic landscaping.
Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons	A focus of community sentiment for Vietnamese people in Fairfield, built with their financial support, providing a gathering place and a connection between past and present, and contributing to the community's sense of itself and its place in society.

Criteria	Description
Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW cultural or natural places or cultural or natural environments	Representative of the places of worship built by and reflecting the traditional architecture of the diverse ethno-religious groups that settled in Fairfield in the last quarter of the 20th century; and of Buddhist temples built in Australia in that period.

The following is the statement of significance as on the SHI:

A landmark complex of buildings in late 20th century Immigrants' Nostalgic style, reflecting that of traditional Buddhist temples, and a focus of community sentiment for Vietnamese Buddhists in Fairfield.

5.2.4 Bossley Park Public School

Bossley Park Public School is listed on the Fairfield LEP 2013 as item #16. The following description is based on the SHI listing, accessed on 19 February 2024.

Group of three late 19th Century school building, also located on the Marconi Road frontage. Corrugated iron rooves. Verandas under main rooves. Double-hung windows with up to six panes to a sash. Brick pier and steps. Little decoration. Two buildings have grooved horizontal weatherboard walls. Northern, small building has vertical weatherboard walls, and vented gable.

Bossley Park Public School has been assessed as being of local significance for the criteria listed in Table 5-4.

TABLE 5-4 – SIGNIFICANCE ASSESSMENT FOR BOSSLEY PARK PUBLIC SCHOOL BASED ON SHI LISTING

Criteria	Description
Criterion (a) an item is important in the course, or pattern, of NSW cultural or natural history	Local
Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW.	Local
Criterion (d) an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons	Local
Criterion (f) an item possesses uncommon, rare or endangered aspects of NSW cultural or natural history	Local
Criterion (g) an item is important in demonstrating the principal characteristics of a class of NSW cultural or natural places or cultural or natural environments	Local

The following is the statement of significance as on the SHI:

Bossley Park Public School complex is of significance for people of Bossley Park and the broader Fairfield area for historical, social and reasons of representativeness. The site and buildings are continuously associated with provision of public education since the 1890s and have a wide appreciation in, and associations with, the local community through a number of local families whose members were educated on the site. Notably, the school site comprises some of the oldest buildings in Bossley Park, pre-dating the suburbanisation of the area. The complex includes a number of buildings indicative of the design of educational facilities in NSW, including the oldest three, from the Victorian period. The school site is a local landmark that strongly contributes to the townscape and the neighbourhood area character, while the extant built fabric has the potential to interpret the history of the locality. The integrity of the fabric present as very high when viewed externally, as buildings appear to be in good condition and little altered.

5.2.5 Bunya Pines

The Bunya Pines are listed on the Fairfield LEP 2013 as item #I101. The following description is based on the SHI listing, accessed on 19 February 2024.

Two Bunya Pine trees to 20 metres high from c. 1890. Also impressive stand of mature Eucalypts on prominent ridge top location, including spotted gums to 22 metres high.

As no significance assessment is publicly available regarding the Bunya Pines, TBE has assessed them as having local significance as summarised in Table 5-5.

TABLE 5-5 – SIGNIFICANCE ASSESSMENT FOR BUNYA PINES BASED ON SHI LISTING

Criteria	Description
Criterion (c) an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW.	The Bunya Pines prominent location, together with their scale, makes them a prominent local landmark.

The following is the statement of significance as on the SHI:

Bunya pines and spotted gums in impressive stand, on prominent ridge top location. Bunya Pines possibly part of original avenue planting to “Horsley” Homestead. Local significance.

5.3 Heritage Impact Statement

As there are no listed heritage items within the study area or within the visual catchment of the study area, no direct or indirect impacts to any nearby listed heritage items will occur.

6. CONCLUSIONS

6.1 General management measures

6.1.1 *Discovery of historical heritage materials, features or deposits*

All archaeological relics are protected under the *Heritage Act*, regardless of whether they are known or unknown. An unexpected finds protocol should therefore be in place to mitigate heritage material which may be uncovered during works.

If at any time during the proposed construction, historical heritage materials features and/or deposits are found, the following actions should be undertaken:

- All construction that could potentially harm the historical heritage, features or deposits would cease (including stopping all construction within at least 10 metres). Only construction that is required to comply with occupational and environmental health and standards and/or to protect the historical heritage should occur. Construction that does not have the potential to harm the historical heritage would continue only if it were outside the minimum 10 metre buffer.
- The on-site supervisor would inform the Project Manager of the discovery.
- A suitably qualified and experienced archaeologist would be contacted as soon as practicable in relation to the unexpected discovery of any historical heritage and would be responsible for recording, in detail, the location and context of any historical heritage. Any materials, features and/or deposits would be analysed and/or catalogued and any official site records would be created or updated (where appropriate). The archaeologist would also make recommendations for the management of the historical heritage in relation to the project.
- It is preferable to avoid impacts on historical heritage where possible. If avoidance is not possible, the archaeologist would conduct a salvage excavation. The aims of the salvage excavation would be to obtain as much information as possible from the historical heritage materials, features and/or deposits.
- The archaeologist would provide a report detailing the excavation, salvage and analysis results to Heritage NSW (Department of Premier and Cabinet) at the completion of the salvage.

The proponent would be responsible for the costs associated with the assessment, cataloguing, labelling, packaging etc. of any historical heritage materials, features and/or deposits. Work would recommence within the area of exclusion:

- When the appropriate protective measures have been implemented
- Where the relevant records have been updated and/or completed.
- Where all parties agree there is no other prudent or feasible course of action.

6.1.2 *Discovery of human remains*

In the event that construction of the proposal reveals possible human skeletal material (remains) the following procedure would be implemented:

- As soon as the remains are exposed, all construction would halt at that location immediately and the on-site supervisor would be immediately notified to allow assessment and management.

- The on-site supervisor would contact police.
- The on-site supervisor would contact Department of Planning and Environment (DPE) Environment Line on 131 555 and Heritage NSW on (02) 9873 8500.
- A physical or forensic anthropologist would inspect the remains in situ (organised by the police unless otherwise directed by police) and make a determination of ancestry (Aboriginal or non-Aboriginal) and antiquity (pre-contact, historic or forensic).
- If the remains are identified as forensic, the area would be deemed a crime scene.
- If the remains are identified as Aboriginal, the site would be secured and DPE and all Aboriginal stakeholders would be notified in writing.
- If the remains are identified as non-Aboriginal (historical) remains, the site would be secured and Heritage NSW would be contacted.

The above process functions only to appropriately identify the remains and secure the site. From this time, the management of the area and remains would be determined through one of the following means:

- If the remains are identified as a forensic matter, management of the area would be determined through liaison with the police.
- If the remains are identified as Aboriginal, management of the area would be determined through liaison with the client, DPE and registered Aboriginal stakeholders.
- If the remains are identified as non-Aboriginal (historical), management of the area would be determined through liaison with the client and Heritage NSW.
- If the remains are identified as not being human, then work would recommence once the appropriate clearances have been given.

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