

Heritage Referral Response

Application Number:	DA2023/0707
Proposed Development:	Alterations and additions to a dwelling house including a carport and secondary dwelling
Date:	30/11/2023
To:	Jordan Howard
Land to be developed (Address):	Lot 81 DP 866452 , 2 Manor Road INGLESIDE NSW 2101

Officer comments

HERITAGE COMMENTS		
Discussion of reason for referral		
This application has been referred as the site is part of an archaeological site, being Item 2270133 - "Ruins of Powder Works", 2 and 10 Manor Road, Ingleside , listed in Schedule 5 of Pittwater LEP 2014.		
Details of heritage items affected		
<p>Details of the heritage item, as contained within the Heritage Inventory, are:</p> <p>Item 2270133 - "Ruins of Powder Works", 2 and 10 Manor Road, Ingleside</p> <p><u>Statement of Significance</u></p> <p>The Ruins of Powderworks are significant as their fabric expresses an unusual (rare) 19th Century industrial activity and are important through their association with Carl Von Bieren and his gun powder manufacturing venture, a significant event in the locality with the area being subsequently named 'Ingleside' after his house.</p> <p>The listing does not include the houses (fronting Manor Road) located within the curtilage of the Ruins of Powderworks.</p> <p><u>Physical Description</u></p> <p>Cobblestone road associated with former Powderworks. Other stone structures as well as powderworks ruins. The place is located in a small gully at the junction of two creeklines about 200m north of the site of the former Ingleside house. The place consists of the ruins of sandstone block buildings and retaining walls that were built in the mid 1880s for the purposes of gunpowder manufacture. The main items are in two areas. One area on the southern side of the creekline has the remains of two structures - one corner of each structure is standing. The other area is on the northern side of the creekline where part of a wall remains standing on the top of a small cliff. Numerous sandstone blocks are strewn throughout the area. Erosion of a small creekline threatens the stability of the structures on the southern side of the creek (Tropman 1993).</p>		
Other relevant heritage listings		
SEPP (Biodiversity and Conservation) 2021	No	Comment if applicable
Australian Heritage Register	No	
NSW State Heritage Register	No	
National Trust of Aust (NSW) Register	No	
RAIA Register of 20th Century Buildings of Significance	No	
Other	No	

Consideration of Application

Amended application

This application is for construction of a secondary dwelling located adjacent to Manor Road, to the west of the existing main dwelling. The original plans included a driveway and carport, but these elements have been deleted from the amended plans.

As the site is listed as an archaeological site, Clause 5.10(7) of Pittwater LEP 2014 applies, which requires referral to Heritage NSW and consideration of any response received. The original DA proposal was referred however Heritage NSW could not comment until an *Archaeological Assessment Report* or *Archaeological Research Design and Excavation Methodology* was submitted.

This amended application, accompanied by a *Baseline Heritage and Archaeological Report* prepared by Romic Planning (18 October 2023), was referred again to Heritage NSW for comment, as required by Clause 5.10(7) of Pittwater LEP 2014. The response from Heritage NSW, dated 17 November 2023, acknowledges that the site of the proposed secondary dwelling is on disturbed land which has been identified as an area of low archaeological potential. The *Archaeological Report* concluded that the works could be undertaken using an excavation permit exemption under section 139(4) of the Heritage Act, 1977. Heritage NSW advised that use of this exemption provision is self-assessed and not determined by them. On this basis, Heritage NSW have not raised any objection to the proposal, subject to the imposition of a condition to cover the event that relics are discovered during works.

Based on this response from Heritage NSW, no objections are raised on heritage grounds, subject to the imposition of the condition required by Heritage NSW (*Notify discovery of a relic*), which has been added to this referral.

NOTE: the advice from Heritage NSW also addresses Aboriginal cultural heritage and it may be advisable to refer it to AHO is for their comment.

Consider against the provisions of CL5.10 of PLEP 2014:

Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? N/A

Is a Heritage Impact Statement required? No Has a Heritage Impact Statement been provided? No

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

Recommended Heritage Advisor Conditions:

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

Notify discovery of a relic

If any archaeological deposits or relics are discovered during works, works must cease, and the Heritage Council of NSW must be notified. To address this discovery, a s146 notification to the Heritage Council of NSW must be lodged. Additional assessment and approval under the Heritage Act 1977 may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: Archaeological relics are protected under s.139 of the Heritage Act 1977. Notification of the unexpected discovery of known or suspected relics is a statutory requirement under s.146 of the Heritage Act 1977.