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15 February 2019

Mr Peter O'Meara
Chief Executive Officer
Catholic Metropolitan Cemeteries Trust
Unit E2 101 Rookwood Rd
Yagoona NSW 2199

Dear Peter,

RE: THE VARROVILLE ESTATE, ST ANDREWS ROAD, VARROVILLE

As outlined in our presentation to the Independent Planning Commission (IPC) on the 14th of January 2019, Urbis had concerns pertaining to the quality and completeness of the copy of the *Curtilage Study, Varro Ville* May 2016 prepared by Orwell & Peter Phillips (OPP report) that Urbis previously had access to since November 2018. This copy of the OPP report was an incomplete version of the study provided outside of the IPC review process, for the purposes of review and critique. Following the IPC presentation, Urbis as the Heritage Consultant for the owner, being Catholic Metropolitan Cemeteries Trust (CMCT), was given the opportunity to undertake a further review of the OPP report which was provided for a limited time on display at the IPC for specific people only.

Urbis undertook this further review at the IPC on Thursday 7th and Friday the 8th of February 2019. The copy held by IPC presents as a direct print from the original soft copy, or a very high quality copy of a very high quality original printing. Our initial submission to the IPC was based upon an extremely poor quality black and white scanned copy as detailed above.

This correspondence summarises findings from the further review and provides a further submission to the Panel on the basis of new findings from the OPP Study.

REVIEW OF THE OPP STUDY (IPC COMPLETE VERSION)

Further review of the OPP Study has confirmed that the version of the OPP report that Urbis previously had access to, had missing pages and numerous pages that were out of order which impeded the review of the document. This was further hampered by the fact that the document was of such poor quality that none of the page numbers was legible and the sequencing was not able to be confidently corrected.

More importantly, the review was significantly obstructed by the poor quality of graphics throughout the whole document. The poor quality of this version meant that all of the graphics within the entire OPP document were effectively illegible in terms of the detail contained in each graphic. Critical detail and messages provided by the graphics could not be read, appreciated or taken into consideration and hence, a complete analysis of the contents, the assessment and analysis and finally the concluding Statement of Significance in Section 7.0 was not possible. This also influenced and impacted our ability to fully respond to the IPC in the hearing and submission.

IMPLICATIONS OF THE FINDINGS FROM THE FURTHER REVIEW

Review of the missing pages and the graphics in the IPC high quality version of the study has served to reinforce our previous findings and strengthens our position that the conclusions underpinning the nominated curtilage are exaggerated and have not been adequately justified by the background research in the OPP report. Furthermore, review of the report has led to additional information that we seek to address in the following discussion.

Analysis of missing pages in the document focussed on the Sturt period of ownership, which is a critical period in terms of justifying assertions made regarding the historical development and value of the dams. The proposed inclusion of the western dams within the OEH extended curtilage is strongly disputed. OEH contends that Sturt was responsible for some of the dams and claims evidence of the 1830s dams remains apparent, disregarding the extensive modifications to the chain of dams in the 1950s by the Jackamans. The missing pages of the report acknowledge Meehan's survey of 1809 which refers to a number of existing ponds and acknowledge that the farm built on an existing water resource. The pages also refer to later writings of Sturt¹, where he in fact credits the former owner Wills, with the development of the dams. This further calls into question, the assertion that Sturt was a pioneer of water conservation and the attribution of the dam construction to his phase of ownership.

Whilst it is apparent from Sturt's record that Wills constructed dams, details of the locations of these dams is unknown and no evidence is given to support the OEH assertion that *"the dams demonstrate an early and unusual strategy of water conservation in Australia using the dam network."*²

These missing pages do not offer any further findings or analysis which assists to bolster the conclusions of the OPP Study and resultant Statement of Significance.

The following is provided in response to the review of the graphics previously unable to be viewed due to the poor quality of the document. A number of these make assertions about the site and in particular the dams which warrant further discussion which we would have considered in our original presentation and submission.

Figure 56 is cited as an example of a more traditional vineyard with parallel lines rather than the Varroville contoured example. This is disputed – the image shows vineyards responding to the topography and following around the hill slope although it is not possible to determine if these are on the contour.

Figure 57 shows possible early dams near the Varroville estate core. The supposed dams are annotated on the 1947 aerial with the key referring to smaller dams that may be from the 1830s and earlier dams evident in the 1947 aerial now subsumed by the larger western dams. This plan was shown in the OEH presentation to the IPC. It is reiterated that these dams are not recorded on earlier mapping including military mapping from 1917, 1933 and 1954 as provided with our earlier submission. One dam is indicated on the 1954 map but this reflects a now enlarged and modified central dam. There is also no evidence that any dams in the 1947 aerial are able to be attributed to the 1830s

¹ Charles Sturt, Narrative of an Expedition into Central Australia, Performed Under the Authority of South Australia in 1847. T & W Boone, New Bond Street London, 1849, Chapter 2.

² Office of Environment and Heritage Draft Inventory - *Varroville Homestead & Estate - Proposed extension of curtilage (under consideration)*
<https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5063550>

period (more than 100 years previous). Figure 58 similarly makes claims regarding early dams which are unsubstantiated by the historical record.

Figure 59 claims to show existing components of the estate layout that are likely early features. This includes the claim that the original drive continued beyond the house to the north. This is not substantiated by the historical record. It claims that the access road off St Andrews Road was in use in the 1947 aerial. If this is in fact a drive, it appears to access the paddocks only and does not extend to the outbuildings as it did once formalised by the Jackamans in the mid-20th century. The report further makes the unsubstantiated claim that it could have been used in the 19th century, which is not supported by the historical record.

Annotations to the floor plans of the cottage and coach house in Appendix A were illegible in the report provided to Urbis. The appendix and annotated drawings made further claims regarding dates of construction and this has underpinned claims with regard to the age and status of the cottage as a contender for Townson's first residence which has enhanced potential significance. Whilst this is highly speculative, it has been treated as fact in the submissions from the neighbouring property owners. This requires further detailed investigation of fabric and clarification of the extent of any earlier fabric.

The majority of the figures throughout the document were of poor quality and some virtually illegible, however the above are highlighted particularly as providing detail which we would have previously considered for the IPC submission.

The above is provided in addition to our earlier submission dated 29/01/2019 and we reiterate our previous conclusion:

1) That the panel recommend to the Minister that the extension of the curtilage and proposed statement of significance recommended by OEH are not supported in their current form and further require that OEH review the historic basis of the curtilage and the statement. Urbis has nominated Curtilage 1 from the CMP as the preferred curtilage however we would welcome the opportunity to liaise with OEH as to an appropriate curtilage.

2) In the event that the curtilage extension and statement of significance is recommended to the Minister for listing in its present form, we recommend that the gazettal should not occur without the necessary site specific exemptions which would facilitate the use and management of the site in accordance with the Campbelltown Local Environmental Plan 2015 and specific provisions for the site as set out in section 7.8.

If you have any questions please don't hesitate to contact me on 02 8233 9939

Yours sincerely,

A handwritten signature in black ink, appearing to read "Danie".



Stephen Davies
Director (Heritage)