



Mr Stephen Barry  
Planning Director  
NSW Independent Planning Commission

Attention: Casey Joshua (via email: [casey.joshua@ipcn.nsw.gov.au](mailto:casey.joshua@ipcn.nsw.gov.au))

10 June 2022

Dear Mr Barry

**Glendell Continued Operations Project (SSD 9349) and Mount Owen Continued Operations (SSD 5850) Modification**

I refer to your letter dated 6 April 2022 concerning the Independent Planning Commission's (the Commission's) consideration of the application's referred to above.

On 11 April 2022, the Department of Planning and Environment (the Department) wrote to Heritage NSW seeking clarification of the statements made by Heritage NSW and the Heritage Council during its meeting with the Commission. In particular, the Department sought clarification on:

- Heritage NSW's suggestion that the Ravensworth Homestead may be of National significance;
- Heritage NSW's suggestion that the Ravensworth Homestead provided a causal link to the Upper Hunter Massacre Site;
- Heritage NSW's comments about the authenticity of the Ravensworth Homestead, particularly in relation to other homesteads in the Hunter Valley; and
- Heritage NSW's reference to 'intangible values' of the Ravensworth Homestead that would be lost should the homestead be relocated.

Heritage NSW has now provided its response, which is attached for the Commission's consideration.

A summary of Heritage NSW's advice, and the Department's consideration of this advice and the Commission's request, is provided below.

**National Significance**

Heritage NSW's response notes that neither it nor the Heritage Council have expressed a view on whether the homestead is of national significance.

**Connection to Upper Hunter Massacre Site**

Heritage NSW's response confirms its view that the 1826 massacre occurred on properties outside the Ravensworth Estate, and that the homestead was built after the massacre.

Notwithstanding, Heritage NSW notes that the homestead is connected to the story of dispossession and displacement of Aboriginal people in the region.

Heritage NSW's response is consistent with the heritage assessments for the project, and the Department's consideration of the project, which recognise that some Aboriginal groups have identified an attachment to the Ravensworth Homestead (see for example paragraph 271 of the Department's assessment report).

**Significance of the Ravensworth Homestead**

Heritage NSW's response confirms its view that Ravensworth is one of the most unique and intact of the Hunter homesteads, and is worthy of listing on the State Heritage Register.

This response is consistent with Glencore's heritage assessments, the Department's assessment report, and the previous advice from the Heritage Council, all of which agree that Ravensworth Homestead is of high to exceptional heritage significance, and that elements of the complex are of State heritage significance.

The Heritage NSW response also notes that the removal and relocation of the Ravensworth Homestead would threaten its authenticity and pose a significant risk to the integrity of its fabric. However, it is not clear to the Department whether the heritage impacts of any relocation of the Homestead would be sufficiently significant such that it would not be worthy of any future listing on the State Heritage Register.

As outlined in the Department's assessment report (see paragraph 164), the Ravensworth Homestead has been nominated for listing on the State Heritage Register.

In this regard, the Department understands that in December 2018 Heritage NSW provided a preliminary briefing to the Heritage Council about a potential listing of the Ravensworth Estate. However, the statutory process for listing as outlined in section 33 of the *Heritage Act 1977* has not commenced.

The procedure for heritage listing under the Act includes:

- Heritage Council to give a notice of intention to consider listing to the affected owners;
- Heritage Council to give public notice of the notice of intention to the general public in the area, and invite submissions;
- Heritage Council to consider submissions and give notice of its recommended decision; and
- if the decision of the Heritage Council is to recommend listing, the Heritage Council is to make that recommendation to the Minister.

In making its recommendation for listing, the Heritage Council is required to consider a number of matters, including:

- whether the item is of State heritage significance;
- whether the long term conservation of the item is necessary;
- whether the listing would render the item incapable of reasonable or economic use; and
- whether the listing would cause undue financial hardship to the owner of the item.

As the statutory process for listing has not commenced, there are various residual uncertainties about any potential State heritage listing of an item at the Ravensworth Estate, including the specific location of such an item (e.g. whether it includes the homestead only, or the lot surrounding the homestead, or the entire Estate), and the specific criteria it may meet (e.g. whether the item is worthy of listing for its historic significance, its Aboriginal cultural heritage significance, or both).

Consequently, while the Department can confirm that the Ravensworth Homestead has elements of State heritage significance, it is unable to confirm whether or not the Homestead (or other parts of the Ravensworth Estate) would ultimately be listed on the State Heritage Register.

Notwithstanding, Glencore's assessment of the project, and the Department's assessment, has been undertaken in consideration of the relevant State heritage values of the Ravensworth Homestead.

### **Intangible Values**

Heritage NSW's response reinforces the tangible and intangible archaeological values of the Ravensworth Homestead, including its historical, scientific and social values. Heritage NSW believes that the significance of these values is heightened by the above and below ground archaeological resource, and the connection of the resource to Aboriginal and colonial history.

This advice is consistent with the heritage assessments undertaken for the project and the Department's assessment of the project.

### **Consideration under NPW Act and Heritage Act**

Heritage NSW has also provided advice on its responsibilities and consultation requirements under the *National Parks and Wildlife Act 1974* (NPW Act) and the *Heritage Act 1977*.

The Department confirms that this advice is consistent with, and does not affect or alter, its consideration of the project.

### **Summary**

The Department has reviewed and re-assessed the heritage impacts of the project in consideration of the additional information provided by Heritage NSW, as well as the information provided by Heritage NSW and the Heritage Council to the Commission during its public hearing.

The Department confirms that the additional information does not affect or alter, the Department's assessment of the heritage-related impacts of the project, or its conclusions and recommendations in relation to the project.

In this regard, the Department acknowledges that the Ravensworth Homestead and the surrounding core estate lands have local and State heritage significance, with elements of high to exceptional significance.

However, the Department's detailed analysis indicates that any option that leaves the homestead in-situ would render the entire project unviable.

In that regard, the Department believes that the Ravensworth Homestead could be relocated, noting that both proposed relocation options would have heritage impacts as they would remove the buildings from their historic location setting. However, the Department accepts that these impacts could be mitigated, particularly through the intact relocation of the homestead to an undisturbed part of the broader Ravensworth Estate.

Consequently, the Department has recommended conditions requiring Glencore to:

- relocate the homestead to the Ravensworth Farm site, and undertake comprehensive archaeological salvage of the core estate lands, prior to mining within 1 kilometre of the homestead;
- undertake further investigation to identify a suitable long-term use for the homestead which would further preserve its heritage value following cessation of mining; and
- prepare and implement a comprehensive Historic Heritage Management Plan for the Project, including a comprehensive Ravensworth Homestead Relocation Plan and a comprehensive conservation management plan for the ongoing management of the relocated Ravensworth Homestead.

In summary, following detailed consideration and weighing up, and given the available mitigation measures, the Department considers that any heritage impacts resulting from relocating the Ravensworth Homestead do not outweigh the social and economic benefits of the project.

The Department trusts that this information addresses the Commission's request. Should you have any further enquiries in relation to this matter, please do not hesitate to contact me on [REDACTED] or via email at [Stephen.ODonoghue@planning.nsw.gov.au](mailto:Stephen.ODonoghue@planning.nsw.gov.au).

Yours sincerely



Steve O'Donoghue  
**Director**  
**Resource Assessments**

Attachments: Heritage NSW letter dated 6 June 2022

Mr David Gainsford  
Deputy Secretary, Development Assessment  
Department of Planning and Environment  
4 Parramatta Square, 12 Darcy Street  
PARRAMATTA NSW 2150

Dear David

I refer to your letter of 11 April seeking clarification on the statements made by Heritage NSW and the Heritage Council of NSW during its meeting with the Independent Planning Commission (IPC) on the heritage value of the Ravensworth Homestead complex.

I am pleased to provide a summary of Heritage advice as follows.

### **National Significance**

Neither Heritage NSW, nor the Heritage Council, has expressed a view on whether the Homestead is of National Significance.

### **Connection to Upper Hunter Massacre site**

The actual 1826 massacre occurred on properties outside of the Ravensworth estate. The current homestead was built after the 1826 massacre.

However, the current homestead is connected to the story of dispossession and displacement because, for example:

- Ravensworth was one of the earliest properties settled in the Hunter and as a result played a role in displacement of Aboriginal people in the region
- Ravensworth staff were involved in the hostilities that culminated in the massacre event.

### **The Ravensworth Homestead**

Ravensworth is one of the most unique and intact of the Hunter homesteads and is worthy of listing on the State Heritage Register. It retains much of its original fabric. The building remains principally intact, and this contributes to its integrity and heritage significance, including its archaeology and primary historic setting.

Removal and relocation of the property would threaten this authenticity and pose a significant risk to the integrity of its fabric. Heritage NSW is of the opinion that dismantling the buildings would be likely to damage the structure in such a way as to diminish its heritage values, including the impact to its buried archaeological components that tell the story about its operations and use.

### **Intangible values**

The main house and outbuildings have their own historical, scientific, and social values. These values are even more significant when viewed in the historical operating context of the estate with its minor outbuildings, cisterns, wells, sheep dips, fencing, grand carriage way, and elevation.

Some of these elements survive as below-ground archaeological features but comprise equally important in-situ elements to the standing structures. These elements talk to the complexity of these estates and the statement they were making as commercial enterprises.

Further, the site has a place in the Aboriginal cultural history of the region as a site of Aboriginal occupation prior to settlement, and subsequently for its involvement in the frontier conflict in the broader region. It is part of the colonial story of land acquisition and settlement/displacement.

A relocation of the homestead would remove it from this setting and its immediate history, altering the context and compromising the authenticity of the place, and the ability to best tell that story.

### **Advice for the purposes of the NPW Act and the Heritage Act**

Heritage NSW has responsibilities under the *National Parks and Wildlife Act 1974* (NPW Act) for commenting on Departmental referrals relating to Aboriginal cultural heritage. In discharging its responsibility under the NPW Act, Heritage NSW confirmed in its 30 October 2020 submission that appropriate consultation with Aboriginal communities had occurred in relation to known Aboriginal sites and objects. It also acknowledged that this consultation identified different levels of attachment to Ravensworth by Aboriginal people, and the proposed measures to protect known Aboriginal sites and objects (the principal nature of that Departmental response – managing harm to known sites and objects), were appropriate within the responsibilities of Heritage NSW under the NPW Act.

The independent Heritage Council of NSW, and the environmental heritage assessment teams within Heritage NSW, also provide advice on Aboriginal and Environmental Heritage for the purposes of the *Heritage Act 1977*. In providing comments for the purposes of that Act, the Heritage Council, in its responses to the SSD project (9 December 2020) and letter (8 October 2021) made broader comment on its perceptions of the linkages of the property to historical events, and to levels of significance, beyond tangible heritage elements only.

If you have any further questions about this issue, please contact Mr Tim Smith OAM, Director Heritage Assessments, Heritage NSW on [REDACTED] or at [tim.smith@environment.nsw.gov.au](mailto:tim.smith@environment.nsw.gov.au).

Yours sincerely



**Atticus Fleming AM**  
Acting Coordinator-General  
Environment and Heritage Group

6 June 2022