

Our ref: HMS ID 11089

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Letter uploaded to the Major Projects Planning Portal

Advice on Response to Submission – State Significant Development

Proposal: Concept Proposal for Mixed Use with Affordable Housing – 45-53 Macleay Street, Potts Point - (SSD-79316759)

Major Project reference: SSD-79316759

Received: 9 July 2025

Dear Justin,

Thank you for your referral dated 9 July 2025 inviting comments from the Heritage Council of NSW on the above State Significant Development (SSD) Response to Submissions.

The following reports were considered in our assessment:

- *45-53 Macleay Street Potts Point Response to Submissions Report* – prepared by Urbis 12 June 2025
- *45-53 Macleay Street Potts Point Historical Archaeological Impact Assessment (HIS)* - prepared by Urbis, dated 3 June 2025
- *45-53 Macleay Street Potts Point Historical Archaeological Research Design & Excavation Methodology (ARDEM)* – prepared by Urbis, dated 3 June 2025
- *Heritage Impact Statement 45-53 Macleay Street Potts Point* – prepared by John Oultram Heritage & Design, dated February 2025

Additional information is required for Heritage NSW to inform its advice to the Department on whether the above documents adequately address the Secretary's Environmental Assessment Requirements (SEARs) for the project. We have included detailed advice in relation to recommended revisions of the HIS and ARDEM in **Attachment A**.

If you have any questions about this correspondence, please contact Sarah McGuinness, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or heritagemailbox@environment.nsw.gov.au

Yours sincerely,

Nicole Davis

Nicole Davis
Senior Manager
Heritage NSW
Department of Climate Change, Energy, the Environment and Water
As Delegate of the Heritage Council of NSW
25 July 2025

Attachment A - Detailed Environmental Heritage Advice

Heritage NSW requests the following additional information to determine if the Environmental Impact Statement (EIS) and Response to Submissions (RtS) fulfils the SEARs relating to heritage.

Heritage Impact Statement

1. Heritage NSW notes that the RtS does not include an updated HIS but includes a brief updated heritage assessment within the RtS report. We note that the RtS report does not include any consideration of potential heritage impacts on State Heritage Registered (SHR) listed item 'Jenner House' (SHR 00776), located at 2 Macleay Street Potts Point. This is the closest SHR listed item to the SSD, located approximately 60m from the SSD site.

In consideration of the above, we recommend that the applicant be required to provide an updated assessment of heritage impacts of the proposed works on SHR listed Jenner House.

Archaeological Research Design and Excavation Methodology

2. Please update the ARDEM to include:
 - a. An artefact discard/retention policy
 - b. Clear triggers and hold points for salvage excavation
 - c. Salvage excavation methodology
 - d. A requirement for an interim testing report/summary to be issued to Heritage NSW within four weeks of completion of archaeological work
 - e. A requirement for the Final archaeological report to be submitted to Heritage within 12 months of completion of archaeological work
3. Please updated the Unexpected Finds Procedure (Section 6.1.2) to include a requirement for notification to and consultation with Heritage NSW should State significant relics and/or human skeletal remains be identified during works.